

**IN THE SUPREME COURT OF THE VIRGIN ISLANDS**  
**ORDER SETTING CALENDAR OF CASES FOR CONSIDERATION AND**  
**FOR ORAL ARGUMENT**

The Supreme Court will convene in its Fourth Session of its 2014 Term on **Tuesday, April 8, 2014**. Unless otherwise noted, the Honorable **RHYS S. HODGE**, Chief Justice, the Honorable **MARIA M. CABRET**, Associate Justice, and the Honorable **IVE ARLINGTON SWAN**, Associate Justice, will comprise the panel scheduled for April 8, 2014.

**AND NOW**, this 7<sup>th</sup> day of March, 2014, it is hereby

**ORDERED**, that the following cases are scheduled for consideration before the Supreme Court of the Virgin Islands in its Fourth Session, 2014 Term:

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S. Ct. Civ. No. 2014-0006  
Super. Ct. INJ. No. 02/2013(STT)  
**ACTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY  
INJUNCTION RELIEF**

**TIP TOP CONSTRUCTION CORPORATION,**  
Appellant/Plaintiff,

**v.**

**GOVERNMENT OF THE VIRGIN ISLANDS, DEPARTMENT OF  
PROPERTY AND PROCUREMENT,**  
Appellees/Defendants.

Counsel for Appellant  
Stefan B. Herpel, Esq.

Counsel for Appellee  
Ariel M. Smith, Esq.  
Jennifer Lynn Augspurger, Esq.

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S. Ct. Civ. No. 2013-0130  
Super. Ct. Civ. No. 457/2008(STT)  
**ACTION FOR SURVIVAL AND WRONGFUL DEATH**

**BERYL BERTRAND, as Administratrix of the Estate of Jacques-Pierre Bertrand,**  
Appellant/Plaintiff,

v.

**MYSTIC GRANITE AND MARBLE, INC., the GOVERNMENT OF THE  
VIRGIN ISLANDS, COMMISSIONER ALBERT BRYAN, acting in his capacity as the  
commissioner of the U.S. Virgin Islands Department of Labor; and ANGEL E. DAWSON,  
acting in his capacity as the Commissioner of the U.S. Virgin Islands Department of  
Finance, and ABACO MACHINES USA, INC.,,**  
Appellees/Defendants.<sup>1</sup>

Counsel for Appellant  
Paul M. Platte, Esq.

Counsel for Appellee  
Carl A. Beckstedt, III, Esq.  
Michael E. Fitzsimmons, Esq.  
Pamela R. Tepper, Esq.  
Robert J. Kuczynski, Esq.

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S. Ct. Civ. No. 2013-0088  
Super. Ct. SM. No. 203/2009(STX)  
**ACTION FOR DEBT**

**EARL G. MOORE,**  
Appellant/Defendant,

v.

**PAULA WALTERS,**  
Appellee/Plaintiff.

Counsel for Appellant  
Dolcae McLean, Esq.

Counsel for Appellee  
Paula Walters, *Pro Se*

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<sup>1</sup> Chief Justice Rhys S. Hodge being recused from consideration of this matter, the panel convened to consider this matter comprises of the Honorable Maria M. Cabret, Associate Justice, Honorable Ive Arlington Swan, Associate Justice and the Honorable Verne A. Hodge, Designated Justice.

It is further

**ORDERED** that the Court will hear **ARGUMENTS** in the above-noted cases on **April 8, 2014**, in **Supreme Court of the Virgin Islands- St. Thomas, 161B Crown Bay**, as follows:<sup>2</sup>

Oral Arguments will commence at **10:00 AM**, in the following cases:

1. **Tip top Construction Corporation v. Government of the Virgin Islands, et al.**  
S. Ct. Civ. No. 2014-0006
2. **Bertrand. v. Mystic Granite and Marble, et al.**  
S. Ct. Civ. No. 2013-0130

**CASES TO BE CONSIDERED WITHOUT ORAL ARGUMENT**

1. **Moore v. Walters**  
S. Ct. Civ. No. 2013-0088

**SO ORDERED** this 7<sup>th</sup> day March, 2014.

**FOR THE COURT:**

/s/ Rhys S. Hodge  
**RHYS S. HODGE**  
Chief Justice

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<sup>2</sup>Pursuant to Supreme Court Rule 27(b), each side is allotted fifteen (15) minutes to present arguments. Any counsel who would like to appear remotely from the St. Croix Court, must notify the Court no later than (5) days prior to the date of Oral Arguments.

Order Setting Calendar and Oral Argument  
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**ATTEST:**  
**VERONICA J. HANDY, ESQ.**  
**Clerk of the Court**