

Between: JOHN MOLI PLAINTIFF

And: SOCIETE PERTUAIRE

JUDGMENT

In this case the Plaintiff was employed by the Defendant Company as a Wharf labourer. On the 17th of November 1979 when going to a water pipe for a drink on the wharf at Santo, he had to stop to allow a large fork lift truck carrying a large container to pass. Suddenly a smaller fork lift hit him from the rear. The truck was reversing and due to the noise of the big fork lift truck he did not hear the smaller one reversing. The driver of the smaller fork lift did not sound his horn and take due care to see whether any person was behind the vehicle when reversing. The Plaintiff was knocked to the ground and the smaller fork lift truck ran over his right leg near the ankle.

The Plaintiff was in the George Pompidou Hospital Vila for 4 months. He returned to Santo on the 18th of March 1980 and was in the Hospital there until the 14th of May 1980. He was re-admitted to the Santo Hospital on the 18th of June 1980 and left there for his house on the 15th of July 1980.

After the rebellion in Santo in June/July 1980, he visited the Labour Inspector at Santo about his accident and was referred to the Defendant Company. Negotiations took place between Mr. Boudier for the Defendant Company and the Insurance Company covering damages to workmen employed by the Defendant Company. The Defendant Company through the Insurance Company have now agreed to pay to the Plaintiff the following sums.

- (a) 52 weeks injury allowance on \$ 20,00 a week amounting to \$ 1,040,00
 - (b) 15% of the above to cover medical expenses amounting to \$ 156,00
- and permanent disablement benefit of \$ 2,500,00.

As the medical expenses and air travel of the Plaintiff has been paid to date by the Defendant, the 15% under (b) will be retained by the Company. The Plaintiff to receive

- (a) \$1,040,00 - 52 weeks injury allowance.
- (b) \$2500,00 - permanent disablement benefit.

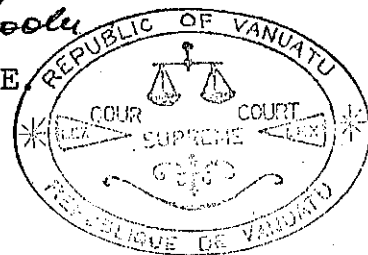
Total 3540,00.

The Plaintiff has agreed to accept this settlement, The Court ordered the money when received by Mr. Boudier on behalf of the Defendant to be

paid to the Chief Registrar of the Supreme Court Vila for payment to the Plaintiff.

Frederick G. Cooke

FREDERICK G. COOKE



Dated the 5th day of May 1982.