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COMMONWEALTH OF THE BAHAMAS
IN THE COURT OF APPEAL
SCCivApp & CAIS No. 86 of 2011

Peter Nygard

Appellant/Applicant

and

Point House Corporation

Respondent

(Substantive Hearing)

Before: The Hon Mrs Justice Allen, President
The Hon Mr Justice John, JA
The Hon Mr Justice Conteh, JA

Mr Keod Smith, with Mr Derek Ryan,
Counsel for Appellant
Mr Robert Adams, with Ms Michaela Ellis,
Counsel for Respondent

7 June 2012

1 The oral judgment of the court was delivered by

2 Allen, P:

3 Clearly, we think that there is no fair-minded
4 or informed observer who would not conclude that there
5 was apparent bias in this case. In the circumstances,
6 we allow the appeal and quash the decision of the
7 learned judge not to recuse himself and direct that
8 this matter be heard before another judge.

9 The application by the appellant for an
10 injunction is refused.

11 Having heard counsel on the application for
12 costs, we make no order as to costs on either
13 application.

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16 Dated this 7th day of June, 2012

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ALLEN, P

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