

COMMONWEALTH OF THE BAHAMAS
IN THE COURT OF APPEAL
SCCivApp & CAIS No. 31 of 2010

Lionel Levine

Appellant

And

Dell Quay Overseas Ltd

Respondent

(Substantive Appeal)

Before: The Hon Mr Justice Blackman, JA
The Hon Mr Justice John, JA
The Hon Mr Justice Conteh, JA

Mr Maurice Ginton, with Mr Anthony Thompson and
Mr Glendon Rolle, Counsel for Appellant
Mr. Reginald Sheppard, Counsel for Respondent

17 February 2011

The oral judgment of the court was delivered by
Blackman, JA:

The appeal is allowed.

The ruling of Justice Stephen Isaacs made on
8th August, 2008 is set aside. The order of the court is that
the proceedings in Action No. 1226/2006 are restored for
determination with those filed in Action No. 409/1996 and are
to be heard before another judge of the Supreme Court. Both
matters are to be heard together. This should happen at the
earliest possible date.

The costs of the appeal in this court and the court
below are those of the appellant in any event, to be taxed or
agreed.

Dated this 17th day of February, 2011

BLACKMAN, JA