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COMMONWEALTH OF THE BAHAMAS
IN THE COURT OF APPEAL
SCCivApp & CAIS No. 40 of 2007

Michael Wilson & Partners Ltd

Respondent/Appellant

And

Thomas Sinclair

Applicant/Respondent

(Conditional Leave to JCPC)

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

Mr Brian Simms, QC, with Ms Sophia Rolle, Counsel
for Respondent/Appellant
Ms Courtney Pearce, Counsel for Applicant/Respondent

15 January 2013

1 The oral judgment of the court was delivered by

2 Allen, P:

3 Having heard the application and the objection to
4 the application for leave to appeal to the Privy Council, and
5 for the reasons which we shall give at a later date, leave to
6 appeal to Her Majesty in Council is granted on the condition
7 that within a period of 90 days from the date hereof, the
8 applicant do enter into a good and sufficient security in a
9 sum not exceeding \$2,861.00 for the due prosecution of the
10 appeal and the payment of all such costs as may become payable
11 by the applicant in the event of him not obtaining an order
12 granting him final leave to appeal or of the appeal being
13 dismissed for non-prosecution or of the Judicial Committee
14 ordering the applicant to pay the costs of the appeal; and
15 that within 90 days from the date hereof, the applicant shall
16 take the necessary steps for the purpose of procuring the
17 preparation of the record and the dispatch thereof to England.

18 The costs of the application for leave to appeal in
19 this court will await the determination of the appeal by the
20 Privy Council. We further order that the costs judgment of
21 the Privy Council dated 8th June, 2011 be carried into effect,
22 the Bill of Costs of the appeal in the Court of Appeal taxed,
23 but the enforcement of that taxed Bill of Costs be suspended
24 pending the determination of this appeal by the Privy Council.

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We grant liberty to apply.

Dated this 15th day of January, 2013

Allen, P