



ASSOCIATE JUSTICE  
SUPREME COURT OF LIBERIA



JUDICIAL BRANCH  
TEMPLE OF JUSTICE  
MONROVIA, LIBERIA

IN THE HONOURABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA,  
SITTING IN ITS OCTOBER TERM, A.D. 2022

BEFORE HER HONOR: SIE-A-NYENE G. YUOH.....CHIEF JUSTICE  
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIE.....ASSOCIATE JUSTICE  
BEFORE HIS HONOR: JOSEPH N. NAGBE.....ASSOCIATE JUSTICE  
BEFORE HIS HONOR: YUSSIF D. KABA.....ASSOCIATE JUSTICE

Sophronia Richard-Townsend, by and thru her Attorney-In-Fact )  
Rita Townsend, of the City of Monrovia, Liberia.....Appellant )

Versus )

APPEAL

The Intestate Estate of Momo Mbolon, by and thru its Admini- )  
strators, Momo Z. Saryon, Boakia Z. Saryon, Gogo Z. Saryon, and )  
Abraham Kromah, of the City of Monrovia, Liberia..... Appellee )

GROWING OUT OF THE CASE: )

Sophronia Richard-Townsend, by and thru her Attorney-In-Fact )  
Rita Townsend, of the City of Monrovia, Liberia.....Objector )

Versus )

OBJECTION TO  
ARBITRATION  
AWARD

The Intestate Estate of Momo Mbolon, by and thru its Admini- )  
strators, Momo Z. Saryon, Boakia Z. Saryon, Gogo Z. Saryon, and )  
Abraham Kromah, of the City of Monrovia, Liberia.....Respondent )

GROWING OUT OF THE CASE: )

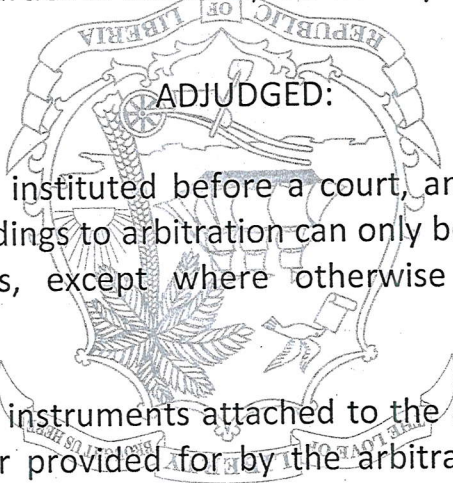
The Intestate Estate of Momo Mbolon, by and thru its Admini- )  
strators, Momo Z. Saryon, Boakia Z. Saryon, Gogo Z. Saryon, and )  
Abraham Kromah, of the City of Monrovia, Liberia.....Plaintiff )

Versus	)	
Sophronia Richard-Townsend, by and thru her Attorney-In-Fact	)	ACTION OF
Rita Townsend, of the City of Monrovia, Liberia.....Defendant	)	EJECTMENT

JUDGMENT

When this case was called for hearing, Counsellor Morris M. Davis, Jr. of the Kemp & Associates appeared for the appellant. Counsellor Mamee S. W. Gongbah, Jr. of the Liberty Law Firm appeared for the appellee.

Having carefully reviewed the records, heard the arguments and contentions advanced by the counsels representing the parties, and considered the laws cited and relied upon by the parties in this case, it is hereby



ADJUDGED:

That where an action is instituted before a court, an agreement to submit the claims raised in the pleadings to arbitration can only be based on the instruments pleaded by the parties, except where otherwise provided in the arbitral agreement;

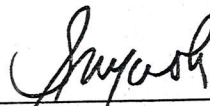
That in the instant case, instruments attached to the appellant's objection which were never pleaded nor provided for by the arbitral agreement so as to give notice to the opposing party was properly excluded by the trial court; and

That the Civil Procedure Law, Chapter 64, Section 64.11 provides grounds for vacating award of the board of arbitration; and that the appellant having alleged fraud as the only ground in her objection to vacate the award, but failed to prove same as mandated by law, the trial judge was not in error when he denied the objection, upheld and confirmed the arbitral report.

WHEREFORE and in view of the foregoing, the final ruling of the trial court confirming the arbitration award in favor of the appellee is affirmed, and the appeal denied. The Clerk of this Court is ordered to send a Mandate to the court below commanding the judge presiding therein to resume jurisdiction over this

case, and give effect to this Judgment. Costs are ruled against the appellant. AND IT IS HEREBY SO ORDERED


GIVEN UNDER OUR HANDS AND THE SEAL OF THE HONORABLE SUPREME COURT OF LIBERIA THIS 26<sup>TH</sup> DAY OF JANUARY, A.D. 2023



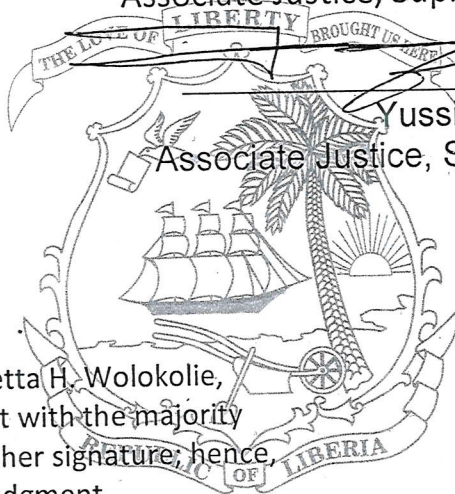
Sie-A-Nyene G. Yuoh  
Chief Justice, Supreme Court of Liberia



Joseph N. Nagbe  
Associate Justice, Supreme Court of Liberia



Yussif D. Kaba  
Associate Justice, Supreme Court of Liberia



NOTE: Madam Justice Jamesetta H. Wolokolie, not being in agreement with the majority Opinion, has withheld her signature; hence, she did not sign this Judgment