

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

The Liberian Bank for Development & Investment)
(LBDI) represented by its President, John B.S. Davis,)
of the City of Monrovia, Liberia.....Appellant)

APPEAL

Versus)

Aisha Donzo, represented by her legal guardian,)
James Oppong, of the City of Paynesville, Republic)
of Liberia.....Appellee)

GROWING OUT OF THE CASE:)

Aisha Donzo represented by her legal guardian,)
James Oppong, of the City of Paynesville, Republic)
of Liberia.....Plaintiff)

Versus)

ACTION FOR
BREACH OF
DEPOSITOR'S
CONTRACT

The Liberian Bank for Development & Investment)
(LBDI) represented by its President, John B.S. Davis,)
of the City of Monrovia, Liberia.....Defendant)

JUDGMENT

When this case was called for hearing, Counsellors Golda Bona Elliot and Reginald T. Elliot appeared for the appellant. Counsellor Abraham Wade Simpson appeared for the appellee.

Having reviewed the records, heard the arguments and contentions advanced by the counsels representing the parties, and considered the facts and laws relied thereupon, it is hereby

ADJUDGED:

That punitive damages is defined as damages which are given in enhancement merely of the ordinary damages for the wanton, reckless, malicious, or oppressive character of the acts complained of. Such damages are allowed on grounds of public policy and in the interest of society and for the public benefit, not as compensatory damages, but rather in addition to such damages;

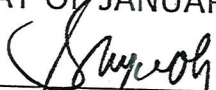
That there being no showing that the appellant bank acted wantonly reckless or maliciously to warrant an award of One Million United States Dollars as punitive damages; however, for the appellant's failure to promptly reconstitute the amount illegally withdrawn from the appellee mother's account, punitive damages will lie as a deterrence for such conduct; and

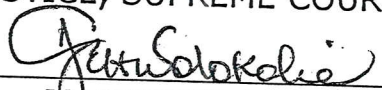
That the law provides that attorney's fee will not be granted absent a statute or a contract to the effect.


WHEREFORE AND IN VIEW OF THE FOREGOING, the final ruling of the trial judge is affirmed. 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 SO ORDERED.




GIVEN UNDER OUR HANDS AND SEAL OF
THE SUPREME COURT OF LIBERIA THIS
26th DAY OF JANUARY, A.D. 2023


SIE-A-NYENE G. YUOH
CHIEF JUSTICE, SUPREME COURT OF LIBERIA


JAMESSETTA HOWARD WOLOKOLIE
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA


JOSEPH N. NAGBE
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA


YUSIF D. KABA
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA