

IN THE HONORABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA  
SITTING IN ITS MARCH TERM, A.D. 2023

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  
BEFORE HIS HONOR: YAMIE QUIQUI GBEISAY, SR.....ASSOCIATE JUSTICE

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Acquillas Construction Company by and thru )  
its Managing Director, Mr. Williams Cox, of )  
the City of Paynesville, Montserrado County )  
.....Appellant )

Versus ) APPEAL

The Government of the Republic of Liberia, by )  
and thru the Ministry of Finance, to include )  
the Minister of Finance, Deputies, Assistant )  
and Comptroller of the said Ministry )  
.....Appellee )

GROWING OUT OF THE CASE: )

The Government of the Republic of Liberia, by )  
and thru the Ministry of Finance, to include )  
the Minister of Finance, Deputies, Assistant )

and Comptroller of the said Ministry	)	
.....Petitioner	)	
	)	
Versus	)	PETITION FOR A WRIT OF
	)	CERTIORARI
His Honor Chan-Chan A. Paegar	)	
.....1 <sup>st</sup> Respondent	)	
	)	
and	)	
	)	
Acquillas Construction Company by and thru	)	
its Managing Director, Mr. Williams Cox of	)	
the City of Paynesville, Montserrado County	)	
.....2 <sup>nd</sup> Respondent	)	

JUDGMENT

When this case was called for hearing, Counsellor Milton D. Taylor of the Law Offices of Taylor and Associates appeared for the appellant. Counsellors Nyenati Tuan, Solicitor General, and J. Adolphus D. Karnuah, II, of the Ministry of Justice appeared for the appellee.

Having heard the arguments, reviewed the facts and circumstances revealed by the records, and examined the laws controlling, it is hereby

ADJUDGED:

That considering that Articles III and VII of the Act establishing the Commercial Court provide for procedures by which the Commercial Court may try commercial disputes for prompt and expeditious resolution, the allegation by the appellee insinuating fraud as regards the duplication of the bonds by the appellant, a trial

by referee or arbitration is the applicable method of resolving the issue of the alleged duplication of the bonds rather than a trial by a jury as ordinarily obtained in other courts of general jurisdiction.

WHEREFORE and in view of the foregoing, the ruling of the Chambers Justice is reversed, and the trial court ordered to proceed with the hearing of the case in keeping with Article VII.3. The alternative writ issued is ordered quashed and the peremptory writ prayed for 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. AND IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND SEAL OF THE  
HONORABLE SUPREME COURT OF THE REPUBLIC OF  
LIBERIA, THIS 11<sup>TH</sup> DAY OF AUGUST, A.D. 2023.

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Jamesetta Howard Wolokolie  
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

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Yussif D. Kaba  
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

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Yamie Quiqui Gbeisay, Sr.  
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

Note: Madam Chief Justice Sie-A-Nyene G. Yuoh having decided the case while serving as Justice in Chambers, did not participate in the hearing and determination of this case; hence, she did not sign this Judgment.

Mr. Justice Joseph N. Nagbe did not participate in the hearing and determination of this case; hence, he did not sign this judgment.