

**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU**
(Civil Jurisdiction)

Matrimonial Case No. 01 of 2013

BETWEEN: ARUELIA CONNAN

Applicant

AND: LOIC ANTHONY COEUILLET

Respondent

Coram: Justice Mary Sey

Appearances: Applicant in Person –Aurelia Connan

Date of Hearing: 10th April 2013

Date of Decision: 10th April 2013

DECISION

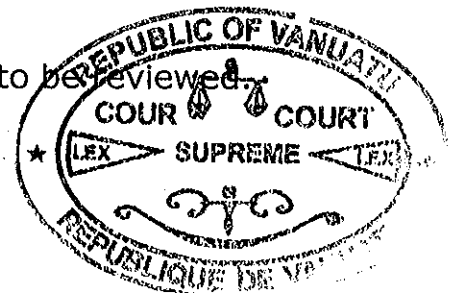
1. By Supreme Court claim dated the 8th day of January 2013 and filed by Mr Less Napuati of counsel for the claimant, the following orders are sought:-

(i) Enforcement of the French Judgment delivered by the Matrimonial Tribunal of Noumea under Registration No.09/726 JAF dated 1st September 2009.

(ii) An Order for the Defendant to pay 2,200,000 Vatu in arrears for the maintenance of her child Abygail Coeuillet.

(iii) An Order for the Defendant to be subject to strict application of section 20 of the Matrimonial Causes Act [CAP 192] if no payment is made.

(iv) An Order for the costs of maintenance to be reviewed.



(v) Interests.

(vi) Legal Costs

(vii) Such other Orders as this Court may deem fit.

2. The aforesaid judgment of 1st September 2009 ordered the Defendant to pay the claimant a monthly allowance of fifty thousand (50,000) francs CFP equivalent to 55,000 Vatu monthly for the maintenance and the education of the child Abygail born on the 3rd day of September 2007.

3. In support of the application is a sworn statement of the claimant Aurelia Connan together with annexures AC 1, AC 2, AC 3, AC 4 and AC 5. This satisfies the requirement of Rule 13.05 of the Civil Procedure Rules which states that the claim must have with it a sworn statement that:

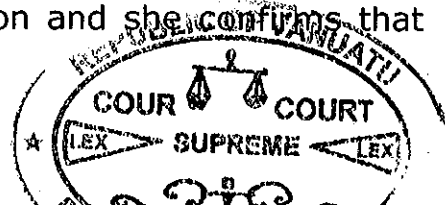
(i) Supports the claim; and

(ii) Verifies the foreign judgment.

4. Enforcement of foreign judgments is provided for under Rule 13.5 of the Civil Procedure Rules as follows:

"13.5 (1) A person who wishes to enforce a judgment of a foreign Court in Vanuatu (a "foreign judgment") may file a claim in the Supreme Court under Part 2".

5. Pursuant to Rule 13.5 (4) the claim before me has with it a sworn statement by Virginie Beneck who is a registered lawyer with the Bar of New Caledonia. The deponent sets out her qualifications to give evidence on the law of the foreign jurisdiction and she confirms that



the foreign judgment is valid, final and conclusive. The said judgment and its English translation is annexed to the sworn statement of Virginie Benech as "C2".

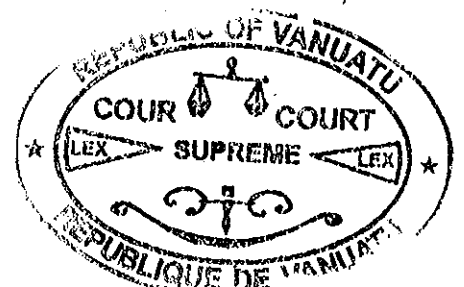
6. There is also a sworn statement for proof of service by the Sheriff of the Noumea Courts showing "process- verbal de remise de documents" by Mr Florent Burignat upon the defendant Loic Coeuillet.
7. The claimant has also deposed in her sworn statement that the judgment sum remains unpaid for the last 40 months as at the end of January 2013.
8. Upon reading the papers filed and upon being satisfied with the proof of service of the claim on the defendant, the Court hereby orders as follows:

(i) Enforcement of the French Judgment delivered by the Matrimonial Tribunal of Noumea under Registration No.09/726 JAF dated 1st September 2009.

(ii) The Defendant to pay 2,310,000 Vatu (Two million, three hundred and ten thousand) vatu as arrears for the maintenance of Abygail Coeuillet for 42 months x 55,000 Vatu monthly.

(iii) The Court's Decision and Orders made herein are to be served upon the Defendant monsieur COEUILLET LOIC at the following address:

Chez M. et Mme COEUILLET Alan
Lot 24 A Savanah
98890 PAITA
Noumea



(iv) There would be no order at to costs.

DATED at Port Vila this 10th day of April 2013

BY THE COURT

M. M. SEY
Judge

