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9 **Attorneys for Plaintiffs:**
10 **PEOPLE OF THE MUNICIPALITY**
OF EAURAPIK, YAP STATE

11
12 **IN THE SUPREME COURT OF**
13 **THE FEDERATED STATES OF MICRONESIA**
14 **TRIAL DIVISION - STATE OF YAP**

15 THE PEOPLE OF THE MUNICIPALITY
EAURAPIK, YAP STATE, by and through
16 SANTOS SARONGELFEG, JOHN
HAGLELGAM, and MOSES MOGLIG,

17 Plaintiffs,

18 vs.

19 F/V TERAKA 168, *in rem*, its engines,
masts, bowsprits, boats, anchors, chains,
20 cables, rigging, apparel, furniture, and all
necessaries thereunto pertaining,


21 *In Rem* Defendants.

22 CHEN-JIN TYAN, CHEN-CHAO TING,
CHEN-CHAO YOU, YUH YOW
23 FISHERY COMPANY LTD., MARIN
MARAWA, LTD., MASANAGA
24 SHIMAZU, CAPTAIN EDGAR R.
PELAEZ, MALAYAN TOWAGE AND
25 SALVAGE CORPORATION, HSIN
HORNG FISHERY CO., LTD., and CHEN
26 JIA YEN.

27 *In Personam* Defendants,

FILED

8/22/13 12:45
DATE: _____ TIME: _____ am/pm

By 
CLERK, FSM SUPREME COURT
YAP
TRIAL DIVISION
TRIAL DIVISION
YAP
CLERK, FSM SUPREME COURT
BY _____

DATE: _____ TIME: _____ am/pm

FILED

CIVIL ACTION NO. 2011-3002

**PLAINTIFFS' MOTION FOR
APPROVAL OF PROPOSED
SETTLEMENT AGREEMENT**

1
2 THE FEDERATED STATES OF
3 MICRONESIA NATIONAL
4 GOVERNMENT,

Intervenor Plaintiff.

5
6 **PLAINTIFFS' MOTION FOR APPROVAL OF**
PROPOSED SETTLEMENT AGREEMENT

7 Plaintiffs move this Court, pursuant to Rules 23.2 and 23(e) of the FSM
8 Rules of Civil Procedure, for the following two orders.

9 1. Preliminary Approval of the Settlement

10 Plaintiffs respectfully request issuance of the following described first
11 order based upon review of the papers filed with this motion and the record in this
12 case, but without a prior hearing:

13 a. Preliminarily approving the proposed Settlement Agreement by
14 the Representative Chiefs, and the Defendants, as described as plaintiffs' motion;

15 b. Ordering the Representative Chiefs to provide notice of the
16 Settlement to the People of Yap in a manner consistent with the custom and tradition
17 of Yap and in cooperation with traditional leadership, no later than seven (7) days
18 prior to the fairness hearing;

19 c. The fairness hearing should be set as soon as possible; and

20 d. A fairness hearing has already been scheduled by Order of the
21 Court dated _____, 2013.

22 A proposed Order for this purpose is attached and filed with this
23 motion.


24 2. Approval of the Settlement

25 The Representative Chiefs respectfully request that upon completion of
26 the fairness hearing, this Honorable Court issue a second order, approving the
27 settlement.

1 This motion is made on the grounds that:

2 1. The Representative Chiefs have entered into an agreement of proposed
3 settlement which is fair and reasonable as required by Rule 23(e) of the FSM Rules of
4 Civil Procedure, made applicable to this case by Rule 23.2.

5 This motion is supported by the attached memorandum, and the affidavits and
6 exhibits attached thereto, and is also based on the record and file in this action.

7
8 DATED: August 22, 2013. BY: 
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22 *Attorneys for Plaintiffs*

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