

FILED

DATE: 2/18/14 TIME: 1:10 am

IN THE SUPREME COURT OF THE
FEDERATED STATES OF MICRONESIA
TRIAL DIVISION — STATE OF CHUUK

By _____
CLERK, FSM SUPREME COURT
CHUUK
TRIAL DIVISION

OVERSEAS EXPORT (HONG KONG),)	CIVIL ACTION NO. 2006-1002
)	
Plaintiff,)	
)	
v.)	ORDER RESTORING CASE TO
)	DOCKET AND SETTING STATUS
B & J CORPORATION,)	CONFERENCE
)	
Defendant.)	

On September 4, 2013, the court issued its Notice of Probable Dismissal, noting that, by the parties' agreement the defendant's debt would be paid off in November 2013 and further informing the parties that unless a party informed the court otherwise by December 9, 2013, the court would enter a dismissal of this action before December 17, 2013. On September 12, 2013, the plaintiff filed some discovery requests. The court did not receive any notification that the debt was not entirely paid. It therefore ordered, on December 10, 2013, this case dismissed.

On January 16, 2014, the plaintiff served by mail, and on January 20, 2014, the plaintiff filed its Motion for Reconsideration. The plaintiff asks that the dismissal be reconsidered and the case reinstated because its counsel had sought discovery and had been permitted to consult with the defendant who assured counsel in November that discovery responses would be forthcoming soon, and on counsel's return to Pohnpei she was caught up in an emergency election case in Nett District Court. The plaintiff also asserts that the

original
FILED
DATE: 3/13/14 TIME: 10:30 am

IN THE SUPREME COURT OF THE
FEDERATED STATES OF MICRONESIA
TRIAL DIVISION — STATE OF CHUUK

By: yon
CLERK, FSM SUPREME COURT
CHUUK
TRIAL DIVISION

OVERSEAS EXPORT (HONG KONG),)	CIVIL ACTION NO. 2006-1002
)	
Plaintiff,)	
)	
v.)	ORDER FOR BOTH COUNSEL TO
)	SHOW CAUSE
B & J CORPORATION,)	
)	
Defendant.)	
)	

On February 18, 2014, the court issued its Order Restoring Case to Docket and Setting Status Conference, which set a telephonic status conference in this matter for Wednesday, March 5, 2014, at 10:30 a.m. On that day, defendant's counsel, Johnny Meippen, appeared at the courthouse in Chuuk and asked if the conference could be moved to 3:00 p.m. that afternoon because he was on that morning's flight to Pohnpei and would, after arrival, meet plaintiff's counsel, Marstella Jack, at her office and the conference could be conducted with both of them there. The resetting was allowed and attorney Meippen was told 4:00 p.m. (5:00 p.m. Pohnpei time) would be agreeable. Plaintiff's counsel did not call from Pohnpei at either 10:30 a.m. or 4:00 p.m. When contacted by court staff she acknowledged that she had received the February 18, 2014 notice but had not been contacted by attorney Meippen and stated that she would locate him on Pohnpei and that she would file something by the end of the next day. Nothing was filed.

NOW THEREFORE IT IS HEREBY ORDERED that both Marstella