

FILED
 6/13/13
 DATE: _____ TIME: _____ am/pm
 By: *CKW*
 CLERK, FSM SUPREME COURT
 KOSRAE
 TRIAL DIVISION

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

IN THE MATTER OF THE ESTATE OF)	CIVIL ACTION NO. 2012-2008
CLAUDE H. PHILLIP,)	
)	
Deceased,)	
)	
FSM DEVELOPMENT BANK,)	ORDER NOTICING PROBABLE
)	DISMISSAL
Petitioner,)	
)	
BETTY PHILLIP,)	
)	
Nominee.)	
_____)	

This case will be dismissed for the lack of subject-matter jurisdiction for the reasons fully set out in In re Estate of Edmond, Civil Action No. 2012-2004, Order of Dismissal, entered on May 31, 2013, if the subject-matter jurisdiction is based on the FSM Development Bank's status as a creditor and its status as an instrumentality of the national government. The court may maintain jurisdiction if there is diversity of citizenship among the heirs. In re Estate of Hartman, 4 FSM Intrm. 386, 387 (Chk. 1989).

NOW THEREFORE IT IS HEREBY ORDERED that this case will be dismissed in 30 days unless it is shown that the court has subject-matter jurisdiction on some independent basis other than the FSM Development Bank's status.

So ordered the 1st day of June, 2013.

Dennis K. Yamase

 Dennis K. Yamase
 Associate Justice

Entered this 3rd day of June, 2013.

Linson Waguk

 Linson Waguk
 Assistant Clerk of Court