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IN THE COURT OF APPEAL FOR BERMUDA  
APPELLATE JURISDICTION

1998 : No. 16

CERTIFICATE AS TO NON-COMPLIANCE WITH CONDITIONS IMPOSED  
UPON A WOULD-BE APPELLANT  
(Order 2, Rule 17)

BETWEEN:

<p>"THE DEVISEES" OF THE ESTATE OF THE LATE JOHN AUGUSTUS ALEXANDER VIRGIL</p>	<i>Appellants</i>
<p>• and • JOHN WILLIAM DAVID SWAN</p>	<i>Respondent</i>

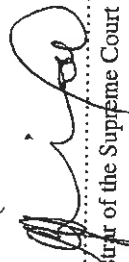
Pursuant to Order 2 Rule 17 of the Court of Appeal rules 1 hereby certify that the Appellants in the above-named cause have failed to comply with the requirements of Order 2 and an undertaking given to a Judge of the Lower Court and with an Order of the Registrar as follows:-

- i) That the said Notice of Appeal fails to satisfy the requirements of Order II Rule 2(2)(d) and (f);
- ii) The Appellants have failed to fulfill their own undertaking given to Mr. Justice Meerabux in the Court below and;
- iii) The Appellants have failed to comply with the Registrar's Order of

September 9<sup>th</sup>, 1998 and

DATED at

this 24<sup>th</sup> day of February 1999

  
 .....  
 Registrar of the Supreme Court

IN THE COURT OF APPEAL FOR BERMUDA

APPELLATE JURISDICTION

1998 : NO.16

CERTIFICATE AS TO NON-COMPLIANCE WITH CONDITIONS  
IMPOSED UPON A WOULD-BE APPELLANT  
(Order 2, Rule 17)

BETWEEN:

THE DEVICES OF THE ESTATE OF THE  
LATE JOHN AUGUSTUS ALEXANDER VIRGIL      Appellant

and


JOHN WILLIAM DAVID SWAN      Respondent

Pursuant to Order 2 Rule 17 of The Court of Appeal Rules I hereby certify that the Appellant in the above-named cause has failed to comply with the requirements of Order 2 and an undertaking given to a Judge of the Lower Court and with an Order of the Registrar as follows:

- (i) That the said Notice of Appeal fails to satisfy the requirements of Order II Rule 2(2)(d) and (f)
- (ii) The Appellants have failed to fulfill their own undertaking given to Justice Meerabux in the court below and;
- (iii) The Appellants have failed to comply with the Registrar's Order of

September 9<sup>th</sup>, 1998.

DATED this 2<sup>th</sup> day of October 1999.

  
Acting REGISTRAR  
Court of Appeal for Bermuda

IN THE COURT OF APPEAL FOR  
BERMUDA

APPELLATE JURISDICTION  
1998 : NO. 16

CERTIFICATE AS TO NON-  
COMPLIANCE WITH CONDITIONS  
IMPOSED UPON A WOULD BE  
APPELLANT (Order 2, Rule 17)

BETWEEN:

THE DEVISEES OF THE ESTATE OF  
THE LATE JOHN AUGUSTUS  
ALEXANDER VIRGIL

Appellant

and

JOHN WILLIAM DAVID SWAN

Respondent

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CERTIFICATE AS TO NON-COMPLIANCE  
WITH CONDITIONS IMPOSED UPON A  
WOULD BE APPELLANT

Order 2 rule 17

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APPELLATE JURISDICTION

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CERTIFICATE AS TO NON-COMPLIANCE WITH CONDITIONS  
IMPOSED UPON A WOULD-BE APPELLANT  
(Order 2, Rule 17)

BETWEEN:

THE DEVISEES OF THE ESTATE OF THE  
LATE JOHN AUGUSTUS ALEXANDER VIRGIL      Appellant

and

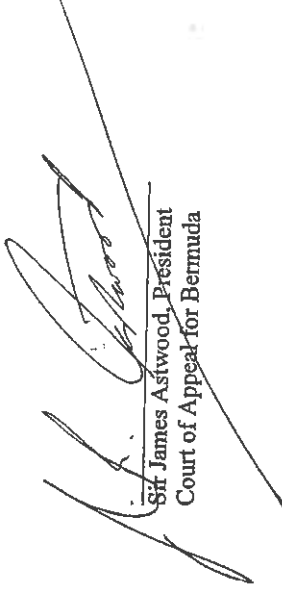
JOHN WILLIAM DAVID SWAN                      Respondent

The Registrar having certified to me that the Appellant failed to comply with the terms of the Order of the Registrar dated 24<sup>th</sup> February, 1999 and October 27<sup>th</sup>, 1999 in that he has failed pursuant to the said Order:

- (i) to satisfy the requirements of Order II Rule 2(2)(d) and (f)
- (ii) have failed to fulfill their own undertaking given to Justice Meerabux in the court below and;
- (iii) have failed to comply with the Registrar's Order of September 9<sup>th</sup>, 1998.

The Appeal herein is dismissed.

DATED this 29<sup>th</sup> day of October 1999.

  
Sir James Astwood, President  
Court of Appeal for Bermuda

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BERMUDA

APPELLATE JURISDICTION  
1998 : NO. 16

CERTIFICATE AS TO NON-  
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IMPOSED UPON A WOULD BE  
APPELLANT (Order 2, Rule 17)

BETWEEN:

THE DEVISEES OF THE ESTATE OF  
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ALEXANDER VIRGIL

Appellant

and

JOHN WILLIAM DAVID SWAN

Respondent

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ORDER  
Order 2 rule 17

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