

IN THE SUPREME COURT OF BERMUDA

CIVIL JURISDICTION

2001 : No. 435

BETWEEN:

"THE DEVISEES"
 OF THE ESTATE OF THE LATE
 JOHN AUGUSTUS ALEXANDER VIRGIL
 NAMELY:
 MARION JOHNSON
 BARBARA LUCILLE BROWN
 GLENN MING
 MARIE DIANE SPENCE
 SYLVIA DAVIS
 JEWEL TROTT EXECUTRIX
 OF THE ESTATE OF THE LATE EUNICE MING

Plaintiffs

and

JOHN WILLIAM DAVID SWAN

Defendant

ORDER

Upon hearing Counsel for the Plaintiff and Defendant **IT IS HEREBY ORDERED** by consent that -

1. the Plaintiff's Specially Endorsed Writ of Summons be struck out pursuant to O. 18 r. 19 of the Rules of the Supreme Court 1985 or alternatively the inherent jurisdiction of this Honourable Court on the ground that it discloses no reasonable cause of action;
2. the Defendant be awarded the costs of this application.

Dated the 3rd day of December, 2002.



Assistant Justice Warner

To: Peniston & Associates
 Channel House
 Longfield Road
 Squithside
 St. David's
 Attorneys for the Plaintiffs