IN THE DISTRICT COURT
AT AUCKLAND

CIV-2006-044-000779

BETWEEN	DUK SEUNG AHN Plaintiff
AND	SUNG WOO LEE First Defendant
AND	YOON CHEOL HONG AKA PETER HONG Second Defendant
AND	SUNG WON KIM Third Defendant

Hearing: 17 and 18 November 2008

Appearances: Ms N Tabb and Mr Lee for the Plaintiff
Mr Meyrick for the Defendant

Judgment: 25 November 2008 at 10.30 am

RESERVED JUDGMENT OF JUDGE G V HUBBLE

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[1] The plaintiff is seeking general and aggravated damages arising from publication of a defamatory "notice".

[2] The defamation arises from a publication in a Korean language newspaper, known as the Korean Times, which is widely distributed throughout the New Zealand Korean community. It was also published on the newspaper web site, being www.nzkoreantimes.co.nz. The first defendant made the publication at the request of the second defendant and it is alleged that this was done with the support of the third defendant. The publication was to the following effect:

> "**I notify all Korea Residents in New Zealand**
>
> I notify that Duk Seung Ahn (Date of Birth: 14 April 1961) who has been employed by an immigration service agent company, Wasan (Wasan International Co. Ltd, a sole director: Edward Kang, previous name: Dong II Kang) for the past 5 years to carry out it s immigration work is a wanted criminal on an aggravated theft charge and a Warrant of Arrest has been issued against him by the Seoul southern District Prosecution of Republic of Korea on an application by the Western District Police office and further he is employed by Wasan to do its immigration works despite the fact that he is illegally staying in New Zealand.
>
> The fact that Duk Seung Ahn is an illegal stayer and employed by Wasan to carry out its immigration work is well-known to new Zealand Immigration Service. Andrew Holmes, the National Fraud Liaison Manager at new Zealand Immigration Service, advised me in writing that New Zealand Immigration Service is actively processing to deport the abovementioned Duk Seung Ahn.
>
> In order to prevent Duk Seung Ahn from continuing immigration work and being employed by Wasan despite the fact that he is an illegal stayer and an Arrest Warrant was issued against him by the Prosecution Office ink Korea, I notified his status to new Zealand-Korean Consulate Office, New Zealand Government and New Zealand Immigration Service and made a formal request for their co-operation to deport Duk Seung Ahn from New Zealand.
>
> As I mentioned above, New Zealand Immigration Service is fully aware that Wasan has employed an illegal stayer and carried out its immigration work and this fact will even be published in the main daily newspapers in Korea.

Youn Cheol Hong, Barrister and Solicitor of the High Court of New Zealand."

[3] The second defendant, himself, acknowledged that the translation above was accurate with the exception of one word, namely, the word "criminal" in the first paragraph, which should have read "person". That aside, there was no contest to the content by the second or third defendant.

[4] A few days before the hearing of this matter, however, the second defendant secured the services of Mr Gene Kwan Oh who is a well qualified English Korean translator and his translation is arguably more benign and is to the following effect.

> "**NOTICE TO KOREAN RESIDENTS IN NEW ZEALAND**
>
> Duk (duck) Seung AHN (DATE OF BIRTH: 14 APRIL 1961) HAS WORKED FOR THE PAST 5 YEARS AS AN EMPLOYEE OF Wasan International Co. Ltd, an immigration consulting company that has as its sole director Edward KANG (his previous name was Dong-il KANG), and Duk (Duck Seung AHN is engaged in looking after immigration matters at his work. Duk (Duck) Seung AHN was issued an "Arrest of Warrant" at the request of Gangseo Branch of Seoul Metropolitan Police Headquarters. Republic of Korea, and is now wanted by South Seoul District Prosecutor's office on a charge of "special theft". Be it known therefore that duk (Duck) Seung AHN is looking after immigration matters as an employee of Wasan International despite the fact that he himself is currently an illegal overstayer.
>
> The fact that he is an overstayer and the he is working as an employee of Wasan International as an immigration consultant is already well known to new Zealand Immigration Service (NZLS). Andrew Holmes, National Fraud Liaison Manager of the NZIS, wrote me confirming that the NZIS was taking active steps for the deportation of duk (Duck) Seung AHN mentioned above.
>
> I am currently in the process of notifying this fact to the Embassy of Republic of Korea in new Zealand, new Zealand Government, and the NZIS seeking for their co-operation so Duk (Duck) Seung AHN, an illegal overstayer to whom the arrest warrant was issued by the Korean prosecuting office, would promptly be suspended from continually working as an employee of Wasan International as an immigration consultant and would be deported out of the country.
>
> The fact that Wasan International Co. Ltd is engaged in doing immigration consulting business employing an illegal overstayer, as pointed out before, is well known to the NZIS, and this fact will also be published in major Korean newspapers.

Yoon Cheol HONG, Barrister and Solicitor of the High Court of New Zealand.

Telephone: 419-8912

Fax: 419-8951

Address: 15A Hillcrest Ave, Hillcrest, Auckland"

[5] On the translation issue the plaintiff called Mr Bohson Kang, a Barrister and Solicitor and qualified Bachelor of Laws Degree in 1998 at Auckland, but prior to that he had worked in Korea in the Stock Exchange and acquired from the Seoul National University, in 1986, a Master of Law Degree, majoring in Company law. He also worked as a patent attorney in Korea before moving to New Zealand to practice law in 2001. The first translation was, as I understand it, done by him. He agrees that the distinct word "criminal" does not appear in the Korean translation but what is referred to is a "wanted person" and then a reference made to the Warrant of Arrest and him being wanted by the police. It is in that context that he says the correct translation is that the plaintiff is wanted on an aggravated theft charge and hence the implication is that he is a criminal.

[6] The Korean Times comprises approximately 40 pages and is free to those who wish to collect it at various retail outlets.

[7] The above "advertisement" occupies a full half page in bold type, on page 9 of the publication.

[8] The first defendant has taken no steps in the proceedings and did not seek to appear. The only defence raised by the second defendant is that the contents of the publication are true. A defence of honest opinion under s 9 of the Defamation Act is not raised. No apologies have been made and the case for the defendants has been conducted on the basis that the plaintiff was evasive in evidence, that he was in fact wanted under a Warrant of Arrest by police in Seoul on an "aggravated theft charge". The second defendant said in evidence that no apology was necessary.

BACKGROUND

[9] Since the year 2000 there has been a considerable history of animosity between Mr Hong, the second defendant, and the plaintiff's employer, Wasan International Co. Limited which operates in New Zealand inter alia as an Immigration consultant.

[10] In a recent case, (18 September 2006), *Kim v Wasan International Company Limited,* Mr Hong was the solicitor for Mr Kim and the dispute was over immigration fees allegedly paid by Mr Kim to Wasan, totalling some $100,000. There were cross-allegations, however, that in, in fact, Wasan had not received the money but rather that most of it had been received by Mr Kim himself. The details of that are not relevant but Justice W Young said, at paragraph 18 of this decision:

> "18….Mr Hong, i.e. (Mr Kim's solicitor) has waged something of a campaign against Wasan. There is no need for us to discuss the details of this campaign, let alone its merits or otherwise but the level of animosity shown by Mr Hong to Wasan and Mr Kang (owner of Wasan) could explain a reluctance on the part of Wasan to make available to Mr Hong any more information about itself that was absolutely necessary."

Mr Hong alleges that Wasan has been overcharging potential immigrants and clearly he has embarked on a crusade on behalf of clients. The present alleged defamatory notice appears to be the culmination of that campaign. Mr Hong has written many letters to Government officials, the Commerce Commission and the Immigration Department alleging fraudulent dealing on the part of Wasan. When he did not obtain the support that he hoped for from these sources, in 2001 he filed personal informations against Wasan. These were dismissed in the District Court and on Appeal to the High Court. He has subsequently complained to the police about the plaintiff's employer, Mr Khan, and his solicitor, Mr Connell, alleging that they filed false affidavits. In the lead up to the present publication in the Korean Times, he appears to have received information concerning the plaintiff, Mr Ahn, who is an employee of Wasan, and vigorously pursued that angle of attack against Wasan. In September 2005, he wrote to the Minister of Immigration arguing that Mr Ahn should be deported as an overstayer and alleging fraud by Wasan.

[11] For reasons, which need not be gone into, the first defendant, Mr Lee, (who has taken no steps in these proceedings) agreed to publish the "advertisement" drafted and presented by Mr Hong. Mr Hong, in letters to the Law Society and in his brief of evidence, alleged that he had received instructions to make publication from the third defendant, Mr Kim. It emerged during the trial, however, that Mr Kim was never consulted on the contents of the publication. He was merely told that something adverse to the plaintiff would be published and both he and Mr Hong agreed that Mr Kim merely indicated that he would have no objection to the publication "If it was true and necessary". I accept that Mr Kim neither saw nor had any part in the content of the advertisement until after publication.

[12] Mr Hong's campaign continued after the publication. For example, in March 2006, he wrote to the Minister, Mr Cosgrove, alleging that Wasan was engaged in fraud and on 19 May 2006 he again wrote to the Minister attempting to get the plaintiff deported as an illegal overstayer and a person "wanted by the police" in Korea.

[13] Mr Hong's lack of objectivity in his activities on behalf of clients in pursuing this campaign earned him a censure from the Auckland District Law Society and an order by the law society that he receive no instructions nor pursue further any of his campaign against Wasan for a period of 10 years. It needs also to be said, however, that the Law Society acknowledged that Mr Hong can still have a valuable contribution to make to the Korean Community provided he does not lose objectivity in acting for his clients.

[14] Given this background there can, in my judgment, be little doubt that a significant aspect of Mr Hong's reason for making this publication was malicious. He acknowledges himself that his motive was to destroy the business of Wasan and have the plaintiff deported but he felt he was acting honestly and in the interests of the Korean community.

THE EFFECT ON THE PLAINTIFF

[15] The evidence supports the view that the effect of this publication on the plaintiff was immediate and devastating. He continued to be employed by Wasan but introduced no further immigration clients on his own behalf. He says he is shunned by a wide sector of the Korean community (he received over 100 calls after the publication). He has lost self-esteem and fallen into depression, ultimately forcing him to seek medical and psychological assistance. I need not go into this aspect of the matter as it is not incumbent on the plaintiff to prove special damage or loss. I accept, however, that the effect on him and his family has been life changing in a negative way in that they have withdrawn from their church associations and social gatherings and some contractual arrangements with Mr Ahn have been withdrawn. It follows that if the defence of "truth" does not succeed, damages must be substantial.

THE MEANING OF THE ADVERTISEMENT

[16] As Mr Ho acknowledged, in presenting his translation, if the same article was presented to 10 different interpreters they could each reach a slightly different conclusion. The issue, however, is not one for experts but rather for the Judge sitting alone or a jury to decide and the issue is, what is the meaning the words "are reasonably capable of bearing?". This includes not just the ordinary meaning but also that which can be reasonably implied, inferred or insinuated from the circumstances and wording of the publication.

> "Insinuation may be as defamatory as an explicit statement and even more mischievous."

Gatley on Libel and Slander 10th edition, para 3.16.

[17] Mr Hong's whole objective in publishing this article was to invite a reader to adopt a suspicious approach. When this occurs a reader is entitled to indulge in conjecture and guesswork, which would not otherwise be permitted (*Gatley* (supra) para 3.16.

[18] In New Zealand the position has been summarised by the Court of Appeal in *New Zealand Magazines Limited v Hadley* CA74/96, 24 October 1996 Blanchard J. as follows:

> "In determining whether the words are capable of bearing an alleged defamatory meaning:
>
> (a) The test is objective: Under the circumstances under which the words were published what would the ordinary person understand by them.
>
> (b) A reasonable person is taken to be one of ordinary intelligence, general knowledge and experience of worldly affairs.
>
> (c) The Court is not concerned with the literal meaning of the words or the meaning, which might be extracted on close analysis by a lawyer or academic linguist. What matters is the meaning, which the ordinary reasonable person would, as a matter of impression carry away in his or head after reading the publication.
>
> (d) The meaning necessary includes what the ordinary reasonable person would infer from the words used in the publication. The ordinary person has considerable capacity for reading between the lines.
>
> (e) That the Court will reject those meanings, which can only emerge as a product of some, strained or forced in interpretation or groundless speculation.
>
> It is not enough to say that the words might be understood in the defamatory sense by some particular person or another. The words complained of must be read in context they must therefore be construed as a whole with appropriate regard to the mode of publication surrounding the circumstances in which they appear.

[19] The law also requires that "where the sting of the words lies in inferences which would ordinarily be drawn from them, to succeed in justification, the defendant must prove the truth of the reasonably inferred facts, not merely the literal truth of what is expressly stated because defamatory implication extends to reasonable inferences" (Gatley, para 11.12).

[20] In my judgment this article has the natural and ordinary meaning extended by inferences and implications to the following effect:

i) The plaintiff has committed a serious criminal offence of aggravated theft and is wanted under Warrant of Arrest in

Korea. I do not accept that the article necessarily means that he has other criminal convictions.

ii) The reader is invited to believe that the plaintiff is actually guilty of the aggravated theft charge because of the degree of authentication outlined in the article relating to the issue of the warrant which had been sought by the "Western District Police Officer". There is further authentication in the fact that Mr Hong signs the advertisement as a Barrister and Solicitor of the High Court of New Zealand.

iii) That the plaintiff is avoiding arrest on this serious criminal charge and is obstructing the enquiry in Korea by remaining in New Zealand.

iv) His immigration status has a degree of illegality such that he is about to be deported by the New Zealand Immigration Service. As such, any potential immigrants who approached him for service may not have his services for long.

v) That Mr Ahn is untrustworthy, an illegal overstayer and involved in criminal activity of a serious kind.

THE TRUTH OF THE MATTER

[21] In one of the Court cases involving Mr Hong acting against Wasan or, more particularly, its owner Mr Kang, Mr Kang was successful in obtaining an order made by Master Lang, in the High Court at Auckland on 22 January 2004, which included the following:

> "1. A declaration that in terms of Clause 15.1 of the agreement to sub lease dated 1 February 2002 (the agreement to sub-lease) the plaintiff is entitled to seize the air craft, namely, a helicopter bell 205A1, series number 30195 (the aircraft).

> 2. That the defendants are to specifically perform of the agreement by immediately returning the aircraft at their expense to the plaintiff.
>
> 3. That in the event the defendants fail to return the aircraft, the plaintiff or its appointed agent shall be entitled to take possession of the aircraft where ever it may be found. In that event, the defendants will be liable for the cost of locating and shipping the aircraft together with all costs incidental to the recovery of it.
>
> 4. Judgment be entered against the first, second and fourth defendants in the sum of $1,475,699.06…"

[22] At the time of this order the plaintiff, Mr Ahn, was an employee of Mr Kang and was instructed to seize the helicopter, which he duly did and packaged it back to Korea. One of the disgruntled defendants reported this to the Korean police as an aggravated theft, even though they must have known that it was all done pursuant to a High Court order. In other words, there was no substance whatsoever in Mr Ahn, the plaintiff, being involved in criminal activity. He was acting pursuant to a New Zealand High Court order. The malicious complaint did result in the police in Korea issuing a Warrant against Mr Ahn, which (in Korea) meant in effect they wanted Mr Ahn to "help them with their enquiry."

[23] In fact, Mr Ahn did return to Korea and telephoned the police on his arrival and after a brief interview, the whole matter was withdrawn.

[24] All parties agree that in New Zealand, at least, if one hears that a Warrant of Arrest has been issued against a person on a criminal charge, it means that they will be arrested on that charge. Apparently, in Korea, the type of warrant of arrest issued in this case was little more than an indication that the police would like to speak to the plaintiff to "help them with their enquiries." That is the approach or understanding that a person knowledgeable in Korean police procedures may understand but, in my judgment, it is capable of having far more sinister implications of actual criminal behaviour. There is no doubt that that is the sting of the article. I accept that Mr Hong endeavoured to verify the information being fed to him (I understand by Mr Lee) and approached the Korean Embassy and made other enquiries. However, the evidence presented, namely, the "Certificate of Results of a Case Handled", clearly indicated on its face that the whole proceeding had been

stayed on the 28 September 2005, a few days before the publication. It appears that Mr Hong ignored this and, certainly, it does not appear in the advertisement that it had been stayed.

[25] With regard to the immigration status of the plaintiff. I accept that on a technical legal analysis, Mr Ahn's permit had expired after some years legally in New Zealand and a renewal application not accepted (apparently because of a mistake on the part of a branch of the Immigration office). He was, from the time of expiry of his own permit, on 23 April 2005, deemed to be in New Zealand unlawfully (s 4(2)) of the Immigration Act 1987. He did, however, make application to the ombudsman's office in a letter from his solicitor on 19 September and without him leaving New Zealand this ultimately resulted in the grant of a renewed permit for himself and his family until 2011. He remains here and except in a strictly legal sense was never an "illegal overstayer" against whom a deportation order was sought.

[26] At the time the advertisement was published in 4 November, the law deemed Mr Ahn to be in New Zealand illegally and in terms of s 45 of the Immigration Act 1987, that section provides that he has an obligation to leave New Zealand "unless subsequently granted a permit".

[27] Mr Ahn has produced an internal document of the Immigration Department which provides as follows:

A9.20 IMMIGRATION STAUS OF COMPLAINANTS TO BE PRESERVED

See previous policy A9.20 Effective 26/07.1999

Where the office of the Ombudsmen notifies the NZIS that an investigation is being made into a complaint against the NZIS, the complainant's immigration status will be preserved pending the outcome of the investigation, and in particular:

a. If the complainant is the holder of a temporary permit, the NZIS will grant a further temporary permit of the same type (subject to receipt of formal application and payment of the appropriate fee);

b. If the complainant is not the holder of a permit, the NZIS will not initiate or complete removal action

> before the investigation has been completed, (and then only if appropriate); unless:
>
> - A removal order has already been served on the complainant; and
> - The complainant is in Police custody pending removal; and
> - The "humanitarian" interview discloses no circumstances that may make the removal inappropriate.
>
> **Effective 28/06/2004"**

[28] Mr Meyrick argued that, in fact, there is no evidence from the Ombudsman's office that there was a notification to the Immigration Service and this is also true.

[29] In fact, however, although as a matter of strict law, Mr Ahn could be described as an illegal overstayer at the time the publication was made, the real sting of the article is that the Immigration Department were actively in the process of deporting him, whereas the truth of the matter is that this was not the case at all, in fact, the nature of his illegal status was being considered by the Ombudsman and by the Department itself and, ultimately, it appears they acknowledged that it was their error and Mr Ahn was entitled to remain. Furthermore, the frequent reference to his illegally staying in New Zealand must be considered in the light of the "advertisement" as a whole, and hence the inference that his illegally remain in New Zealand had some sinister criminal connotation to the point where he was being pursued to be deported. That is the sting of the article, as a whole.

[30] It is clear that Mr Hong, in acting for his client, had lost objectivity in his conclusion that Wasan was fraudulent and that the plaintiff was involved in criminal behaviour. He says he felt obliged to make this known to the Korean community. In his mind, I can accept that the publication may have been well meant, but his intention and degree of knowledge of the facts is immaterial. It is the fact of defamation that is crucial. It is no defence to say that in his heart he did not intend to defame and it is irrelevant if unintentional defamation becomes defamation because of special facts unknown to Mr Hong.

[31] I would therefore conclude that the article is defamatory of the plaintiff, both in its natural and ordinary meaning and in the wider meanings I have referred to above. The defendants have not been able to discharge the onus establishing the sting of this article was true. The plaintiffs are, accordingly, entitled to damages.

THE LIABILITY OF THE THIRD DEFENDANT

[32] The plaintiff seeks to include the third defendant as a party equally liable for the defamation, as an accessory to the publication. The plaintiff relies upon *Webb v Bloch* (1928) 41 CLR 331 which is quoted with approval in "the Law of Defamation" in Australia and New Zealand in page 75 as follows:

> "All who are in any degree accessory to the publication of a liable by any means whatsoever conducive to the publication, are to be considered as principles in the act of publication… For all persons who concur and show their assent or approbation to do an unlawful act are guilty."

[33] It is established on the facts, however, that although Mr Kim was contacted by Mr Hong and told that a critical statement or article would be published by Mr Hong, he was never told of its intended contents. According to the answer to both his and Mr Hong's interrogatories, Mr Kim only went so far as to say he supported the publication " if it was true and necessary". I do not accept, therefore, that Mr Kim agreed to this article being published because it is neither true nor necessary and his "consent" only extended that far. In terms of *Webb's* case, he did not consent to "publication of the libel". He only consented to an article critical of the defendant so long as it was true and necessary. In these circumstances, I do not accept that the claim can succeed against the third defendant.

DAMAGES

[34] The plaintiff's submissions on damages were to the following effect:

> "When defamation is proved some general damage is presumed.
>
> *Readers Digest Services Proprietary Limited v Lamb* [1981 – 1982]
>
> 150 C.L.R. 500 at 507 PER Brennan J.

The law of Defamation in Australia and New Zealand, Gillooly (supra) at page 271.

In an action for defamation, the wrongful act is damage to the plaintiff's reputation. The injuries that he sustains may be classified under two heads: (I) the consequences of the attitude adopted to him by other persons as a result of the diminution of the esteem in which they hold him because of the defamatory statement; and (ii) the grief or annoyance caused by the defamatory statement to the plaintiff himself. It is damages under this second head which may be aggravated by the manner in which, or the motives with which the statement was made or persisted in.

McCarey v Associated Newspapers Ltd [1964] 3 All ER 947 at 959

Where several defendants are joined in an action for defamation there can only be a single award of general damages

Jensen v Clark [1982] 2 NZLR 268 at 276

In defamation actions damages are at large, ie. They are not limited to the pecuniary loss that can be specifically proved and cannot be arrived at by any purely objective computation.

The Law of Defamation in Australia and New Zealand, Gillooly (supra) at page 270

In this case the publication was made on a number of separate occasions, once in the printed newspaper and then again repeatedly as people accessed the website. The defamatory statements are serious and have affected the defendant in a material way. Distribution was extensive within the Korean community in New Zealand.

The nature of aggravated damages in defamation cases was discussed by His Honour Justice Anderson in the *Quinn v Television NZ Ltd* case as follows

"Counsel points out that aggravated damages are still compensatory in nature, which is correct, but in defamation cases they are usually to be regarded as compensation going beyond a solatium for the damage to reputation itself. Aggravated damages are given to compensate a plaintiff when the injury or harm has been aggravated by the manner in which the defendant has acted. A plaintiff may be compensated in respect of injured feelings or moral outrage. Sometimes, legitimately, aggravated damages may reflect the damage caused by an intransigent and disdainful attitude to a plaintiff in the course of litigation for libel."

[35] The plaintiff in this case, at the time of publication, had no prior convictions in New Zealand. (He has recently acquired a drink driving charge) and no criminal convictions in Korea.

[36] Although the plaintiff was, in legal terms, an overstayer, he remained in New Zealand whilst his appeals with the Ombudsman were dealt with and this did not place him in a category of criminal offending or, indeed, in reality subject to deportation.

[37] Mr Hong has vigorously pursued an agenda to deport and unfairly denigrate the plaintiff. He has refused to apologise and has conducted this trial on the basis he has no need to do so and on the basis the plaintiff was evasive. This approach itself has, in some degree, added insult to injury.

[38] The second defendant has a long history of ill feeling towards the plaintiff's employer and he has chosen to recklessly use Mr Ahn as a pawn in his campaign again Wasan. These are all circumstances, which, in my judgment, do aggravate a proper assessment of compensatory damages.

[39] The quantum of damages is, of course, very much a matter for the Court. The plaintiff has referred to the decision of the *Chinese Herald Ltd & Ors v New Times Media Ltd*, 11 March 2004, Patterson J, Auckland Registry. This involved a publication in the Chinese Herald in Auckland. There are similarities with the present case although there were at least three separate publications. An award in favour of one plaintiff was $125,000 and another, $25,000.

[40] I accept that this advertisement was widely circulated in the Korean community. It was prominently published and asserted authenticity by reference to Police; Government Department, a specific crime of aggravated or special theft and was "signed off" by a barrister and solicitor. It was intended to destroy the plaintiff's reputation in New Zealand and eliminate his employer from business. Despite knowledge of the true facts the second defendant has been intransigent in asserting no apology is necessary. Injury to feelings, affect on health and loss of business opportunity was apparent from the plaintiff's evidence. The second defendant has persisted with a plea of justification throughout the trial.

[41] In my judgment all of these factors justify a reasonably substantial award which I fix at $85,000. The plaintiff should not have been pressed to the cost of a

trial and is entitled, therefore, to reasonable solicitor and client costs and disbursements. There will be judgment for the plaintiff against the 1st and 2nd defendant accordingly.

[42] The third defendant, although successful in this proceeding and required to come to Court, he was not separately represented. Nevertheless, overall he was a successful party. I accordingly fix costs in his favour payable by the plaintiff at $1200 plus disbursements.

Dated at …………..this…………..day of…………2008 at……….am/pm

G V HUBBLE
District Court Judge