

WARNER SHAND LAWYERS WAIGANI

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Partners: Bill Frizzell, Michael Wilson

Our ref: **9140135\WJF:303**

Your ref:

7th November 2016

The Principal Legal Officer
Department of Finance
Vulupindi Haus, Waigani
National Capital District

by delivery

For the attention of Ms. Caroline Jaruga

Dear Ms. Jaruga,

1. O.S NO. 220 OF 2015 – EVALUATION CONSULT (NEW ZEALAND) LIMITED (“EC”) vs. INDEPENDENT STATE OF PAPUA NEW GUINEA (“OS 220”)
2. CLAIMS BY AND AGAINST THE STATE ACT (“the Act”) – CERTIFICATE OF JUDGEMENT

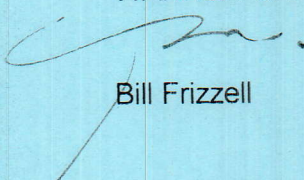
We act for EC in OS 220 and refer to your telephone discussion with our Ms. Samuel this afternoon.

Pursuant to section 14(3) of the Act please find enclosed certificate of judgment in OS 220 duly certified by the Registrar of the National Court on 31.05.2016 in accordance with section 13(2) of the Act and by Ms. Faith Barton-Keene the Solicitor General on 31.10.2016, in accordance with section 14(2) of the Act.

It would be appreciated if the Principal Legal Officer could indicate arrangements for settlement in due course.

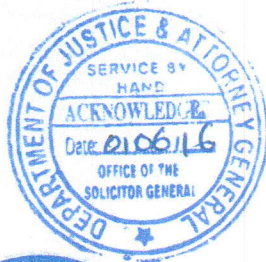
We look forward to hearing from you.

Yours faithfully,
WARNER SHAND


Bill Frizzell

encls.

Betty
2:35pm
Bakb



PAPUA NEW GUINEA

IN THE NATIONAL COURT)
OF JUSTICE AT WAIGANI)

O.S NO. 220 2015

BETWEEN:
EVALUATION CONSULT (NEW ZEALAND)
LIMITED
Plaintiff

AND:
THE INDEPENDENT STATE OF PAPUA
NEW GUINEA
Defendant

CERTIFICATE OF JUDGEMENT

Date ordered: ^{31/05/16} 19th April 2016
Date filed:
Date entered:

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off Kennedy Road, Waigani
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File ref 9140135\WJF:303
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PAPUA NEW GUINEA
CLAIMS BY AND AGAINST THE STATE ACT 1996

Sec. 13(2)

Form 1

IN THE NATIONAL COURT)
OF JUSTICE AT WAIGANI)

O.S NO. 220 OF 2015



BETWEEN:
EVALUATION CONSULT (NEW
ZEALAND) LIMITED
Plaintiff

AND:
THE INDEPENDENT STATE OF
PAPUA NEW GUINEA
Defendant

CERTIFICATE OF JUDGEMENT

Evaluation Consult (NZ) Ltd v. the Independent State of Papua New Guinea.

I certify that Evaluation Consult (NZ) Ltd of care of PO Box 583 Gordons, National Capital District on the 18th day of March 2016 did obtain an Adjusted Final Arbitral Award in its favour and leave of the Court pursuant to section 12(1) of the *Arbitration Act* Ch. 46 was granted Evaluation Consult (NZ) Ltd that the said Adjusted Final Arbitral Award is to be enforced in the same manner as a judgment of this Court to the same effect. Evaluation Consult (NZ) Ltd was awarded: -

1. That the Independent State of Papua New Guinea pay to Evaluation Consult (NZ) Ltd the principal sum of K934, 314.33.
2. That the Independent State of Papua New Guinea pay the following costs: -
 - (a) Evaluation Consult (NZ) Ltd's legal costs for local counsel on a lawyer/client basis, such costs to be taxed if not agreed;
 - (b) 50% of Evaluation Consult (NZ) Ltd's senior counsel's invoiced costs, such costs to be taxed if not agreed;

2.

- (c) Kate Averill's return airfares from Wellington to Port Moresby at economy class rate and her reasonable hotel expenses and other local expenses in connection with her attendance as a witness for Evaluation Consult (NZ) Ltd at the arbitration hearing; such costs to be taxed if not agreed;



- (d) Arbitrator Jeff Sheherd's costs assessed at K37, 650.

- (e) Reimbursement of Evaluation Consult (NZ) Ltd in the sum of K12, 825 for that company's payment on 27 May 2015 of 50% Arbitrator's interim fee memo dated 22 May 2015.

I certify that:-

- (a) the judgment may be satisfied.

Dated the 31 day of May 2016

A large, stylized handwritten signature in blue ink, likely belonging to the Registrar.

.....
Registrar

ENDORSEMENT
I certify that:
<input checked="" type="radio"/> a) The judgment may be satisfied
OR
b) The State proposes to take further action in this matter & satisfaction of judgment cannot take place.
Dated this <u>31st</u> Day of <u>October</u> 20 <u>16</u>
A handwritten signature in blue ink, likely belonging to Faith Barton-Keene.
..... FAITH BARTON-KEENE SOLICITOR GENERAL OF PAPUA NEW GUINEA & LAWYER FOR THE STATE