

SUPREME COURT OF THE
FEDERATED STATES OF MICRONESIA
APPELLATE DIVISION

STATE OF CHUUK, STATE OF)
KOSRAE, STATE OF POHNPEI,)
AND STATE OF YAP)
Appellants,)
vs.)
SECRETARY OF DEPARTMENT OF)
FINANCE OF THE FEDERATED)
STATES OF MICRONESIA, AND)
THE NATIONAL GOVERNMENT)
OF THE FSM,)
Appellees,)

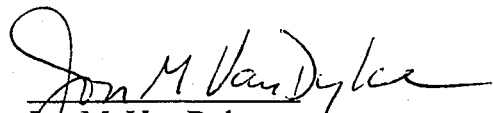
FSM APP. CASE NO. P4-1999
CIVIL ACTION NO. 1995-085

MOTION TO FILE BY FAX
SIGNATURE

MOTION TO FILE BY FAX SIGNATURE

Appellants hereby move this Honorable Court to file the accompanying Motion and accompanying documents by fax signature, to be followed by a filing of the original documents within a few days. This Motion is made because the liaison attorney in Pohnpei, Andrea Hillyer, is off island at present, and will not be returning for several more days.

DATED: September 27, 1999, Honolulu, Hawai'i.


Jon M. Van Dyke
Attorney for Appellants

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 8
To Andrea Hillyer's	From Jon Van Dyke	
Co. Office	Co.	
Dept.	Phone #	
Fax # 011-691-320-6485	Fax # 956-5569	

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APPELLANTS' MOTION FOR
ADDITIONAL PAGES FOR
OPENING BRIEF; MEMORANDUM
IN SUPPORT OF MOTION;
DECLARATION OF JON M. VAN
DYKE; CERTIFICATE OF SERVICE

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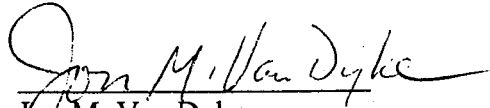
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APPELLANTS' MOTION FOR
ADDITIONAL PAGES OF
OPENING BRIEF

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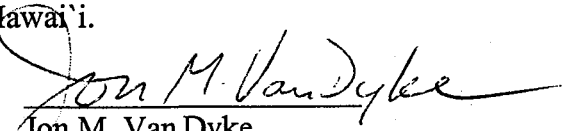
Appellants, by and through counsel, moves this Honorable Court to allow Appellants to file an Opening Brief with 30 additional pages, for a total of 80 pages. This motion is made for the reasons presented in the accompanying memorandum.

DATED: September 27, 1999, Honolulu, Hawai'i.


Jon M. Van Dyke
Attorney for Appellants

Appellants will be using standard type size and double-spacing to facilitate the Court's reading of the submission. Appellants have informed Appellees of this request, and have told the Appellees that Appellants will not object if they submit a similar request of the Court.

DATED: September 27, 1999, Honolulu, Hawai'i.


Jon M. Van Dyke
Attorney for Appellants

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DECLARATION OF JON M. VAN DYKE

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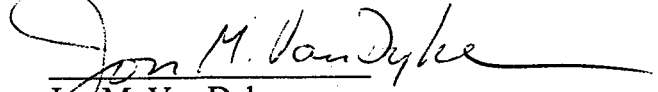
1. I, Jon M. Van Dyke, am serving as attorney for the States of Chuuk, Kosrae, Pohnpei, and Yap in the above-captioned case.

2. My co-counsel Kathe Burch, Assistant Attorney General of Yap, has talked to Elizabeth M. McCormick, Assistant Attorney General in the office of the FSM Attorney General, to explain the nature of the present Motion for Additional Pages and to inform that office that Appellant would not object to a similar Motion filed by Appellee.

3. If this Motion for Additional pages is granted, Appellants intend to use double-spacing and standard type size for their filing.

4. Andrea Hillyer, who has been serving as liaison attorney in the present case, is off island at present, and thus is unavailable to sign the documents filed in connection with this affidavit.

DATED: September 27, 1999, Honolulu, Hawai'i.

A handwritten signature in cursive script that reads "Jon M. Van Dyke". The signature is written in black ink and extends to the right with a long horizontal flourish.

Jon M. Van Dyke
Attorney for Appellants

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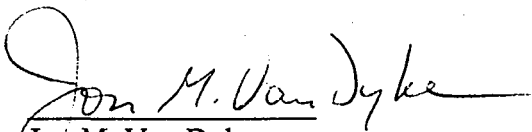
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that copies of the accompanying documents were served by fax and by mail were served on the following individuals on the 28th day of September 1999:

Emilio Musrasrik, Attorney General
Elizabeth M. McCormick, Assistant Attorney General
P.O. Box. PS 105
Palikir, Pohnpei, FM 96941
Fax: 691-320-2234

DATED: Sept. 27, 1999, Honolulu, Hawai'i.


Jon M. Van Dyke
Attorney for Appellants