



IN THE EASTERN CARIBBEAN SUPREME COURT  
HIGH COURT OF JUSTICE  
VIRGIN ISLANDS  
COMMERCIAL DIVISION

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BVIHC (COM) NO. 58 OF 2019

IN THE MATTER OF THE RECOGNITION AND ENFORCEMENT AT COMMON  
LAW OF A KOREAN MONEY JUDGMENT

BETWEEN:

SANG CHEOL WOO

Applicant/Claimant/Judgment Creditor

-and-

CHARLES C. SPACKMAN  
(AKA YOO SHIN CHOI)

Respondent/Defendant/Judgment Debtor

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ORDER

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BEFORE: Mr. Justice Gerhard Wallbank (Ag.)

MADE: 12<sup>th</sup> January 2021

ENTERED: 19<sup>th</sup> January 2021

UPON the Applicant's application dated 25 November 2020 coming on for hearing;

AND UPON hearing Counsel for the Applicant, Mr. Merrick Ricardo Watson and Mr. Timothy de Swardt;

**AND UPON THE COURT HAVING READ** the First Affirmation of Sang Cheol Woo and Exhibit SCW1 dated 25 November 2020;

**AND UPON** the Court considering the provisions of Part 53 of the Civil Procedure Rules 2000 (the “**CPR**”);

**AND UPON** the Court being satisfied that the Respondent was properly served with the order of the Court dated 20 August 2020 requiring the Respondent to attend Court via Zoom to be examined on his assets on 16 September 2020, which order was endorsed with a penal notice setting out the condign consequences of non-compliance (the “**Examination Order**”)


**AND UPON THE COURT BEING OF THE OPINION AND DECLARING** that the Respondent has been guilty of a contempt of this Court by having failed to comply with the Examination Order.

**IT IS ORDERED AND DECLARED THAT:**

1. The Respondent do stand committed to Her Majesty’s Prison at Barmston for a period of 12 months for his contempt (“**Committal Order**”).
2. The Committal Order be suspended upon the Respondent complying with either of the following conditions (the “**Committal Suspension Order**”):
  - a. paying into Court, or to the Applicant, the full amount of the Default Judgment made by the Court on 4 June 2020 (together with interest) within 7 days of the date of this Order; or
  - b. filing an application to purge his contempt, within 7 days of the date of service of this Order on him, by making himself available to be examined in accordance with the terms of the Examination Order, such application to be listed before Mr. Justice Wallbank within 7 days after it is filed.
3. The Respondent’s failure to comply within the stipulated time with either of the conditions attached to the Committal Suspension Order shall result in the Committal Order set out at paragraph 1 above taking immediate effect.

4. The Court retrospectively dispenses with the requirement for personal service of the Examination Order in accordance with CPR 53.5 (3) and deems service of the Examination Order on the Respondent under the terms of the Alternative Service Order to be good service on the basis that the Respondent has had sufficient notice of the Examination Order and in the circumstances it is just to dispense with the requirement for personal service.
5. The costs of this Application shall be costs in the Claim.

BY THE COURT

*Span* 

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REGISTRAR (Ag. Dep.)



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**CHARLES C. SPACKMAN  
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**ORDER**

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