

MOHABIR A. NANDLALL & ASSOCIATES

Attorneys-at-Law & Patent & Trade Mark Agents

“Bhagwati Chambers”

Partners

M.A. Nandlall LLB. MP, JP.
Commissioner of Oaths to Affidavit &
Notary Public
Manoj Narayan LLB.

Associates

Odai N.S. Ramischand LLB. (Hons)
Riaz Seecharran B.A. LLB. (Hons)
Sasha S. Mahadeo-Narayan LLB.
Rajendra R. Jaigobin LLB.
Euclin S Gomes LLB.
Anuradha Deodasingh LLB.

March 12, 2020

Mr. Clairmont Mingo (VIA Hand and Email)
Returning Officer
Electoral District No. 4
Ashmin’s Building
High and Hadfield Street
Georgetown, Guyana

Dear Sir:

Re: Notice of Intended Contempt of Court Proceedings

I act on behalf of Reeaz Holladar.

As you aware on March 11, 2020, the Honourable Madam Justice Roxane George, Chief Justice (Ag.), granted the following Orders in an application filed by my client, in High Court Action No. 2020-HC-DEM-CIV-FDA-360, *inter alia*:

- (i) *An injunction restraining the Returning Officer District 4 from in any manner whatsoever, declaring the votes recorded for each List of Candidates for District 4 before complying with or ensuring the compliance with the process set out in Section 84 of the Representation of the People Act, Chapter 1:03 Laws of Guyana;*
- (ii) *An injunction restraining the Guyana Elections Commission from declaring the total number of valid votes cast for each political party until the Returning Officer or Deputy Returning Officer for District 4 complies **and ensures compliance with** S. 84 of the Representation of the People Act, Chapter 1:03;*
- (iii) *An order directing that the Returning Officer or Deputy Returning Officer for District 4 are to commence compliance with S. 84(1) of the Representation of the People Act, Chapter 1:03 at no later than 11:00 hours on March 12, 2020.*

The Honourable Chief Justice ruled that the Order “*is to be served on the counsel for the parties and is to be deemed service on the parties*”, and this Order was served accordingly. Additionally,

I am informed by the Chief Marshall of the High Court that a copy of this Order was served personally on the Chairperson of the Guyana Elections Commission.

I wish to draw to your attention that Section 84(1) provides “...*the returning officer shall, in the presence of such of the persons entitled under Section 86(1) to be present as attend, ascertain the total votes cast in favour of each list in the district by adding up the votes recorded in favour of the list in accordance with the Statements of Poll...*”

Section 86(1) lists the persons entitled to be present as: “(a) the returning officer and such other election officers as he may appoint to assist him in the counting; (b) members of the Commission; (c) duly appointed candidates; (d) counting agents; (e) such other persons as, in the opinion of the returning officer, have good reason to be present.”

Please be informed that the following persons are duly appointed candidates of the Peoples’ Progressive Party Civic for Electoral District No. 4(i) Mohabir Anil Nandlall, (ii) Vindya Persaud, (iii) Indranie Chandernal, (iv) Neendkumar, (v) Shyam Nokta, (vi) Frank Anthony, (vii) May Thomas, (viii) Susan Rodrigues and (ix) Hugh Todd.

My instructions are that this morning, just after 11 A.M. you commenced the exercise provided for and contemplated by Section 84 of the Representation of the People Act, but in violation of the aforesaid Order of Court you refused to ascertain and add up the votes recorded in favour of the list of candidate in accordance with the Statements of Poll, but instead, chose to use a pre-prepared spreadsheet, as the basis for the ascertaining and adding up of the said votes.

I am further instructed that none of the duly appointed candidates for electoral district number 4 were permitted to be present at the said exercise.

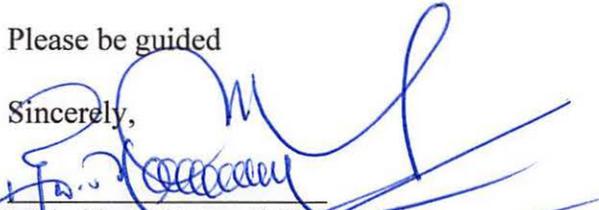
The above constitute flagrant violations of the Order of the Honourable Chief Justice and I hereby give you and all persons carbon copied herein notice that I have been instructed to file contempt of court proceedings in respect of those violations, as well as any otherwise, which may arise or has arisen.

I wish to remind you that contempt of court is a criminal offence which attracts as a punishment and a term of imprisonment and aiding and abetting a contempt carries the same penalty as the contempt itself.

We hereby demand immediate strict compliance with the Court’s Order.

Please be guided

Sincerely,


Mohabir Anil Nandlall
Mohabir A. Nandlall and Associates
Attorneys at Law

**cc: Ms. Claudette Singh, S.C.
Chairperson
Guyana Elections Commission**

**Mr. Keith Lowenfield
Chief Elections Officer
Guyana Elections Commission**

**The Commissioners
Guyana Elections Commission**

**Mr. Neil Boston, S.C.
Boston and Boston
Croal Street**