



DISCLOSURE

Claim No. 2017 HCV 00778 – Wentworth Graham v Jamaica Stock Exchange and Marlene Street Forrest

Our instructions are that in this matter the relevant details of the claim are as set out hereunder:

On 10th May 2017 Mr. Wentworth Graham filed an application in the Supreme Court for leave to apply for judicial review of the alleged failure of the Minister of Labour and Social Security (hereafter referred to as "the Minister of Labour") to refer to a dispute to the Industrial Disputes Tribunal ("IDT"). The dispute concerned Mr. Graham's contention that he had been wrongly suspended from his job as Chief Regulatory Officer ("CRO") of the JSE since 16th January 2017. The Attorney General and the Jamaica Stock Exchange ("JSE") were also named as defendants in this suit.

The application requested the following injunctions in relation to the JSE:

- (i) the JSE be prevented from proceeding with a disciplinary hearing against Mr. Graham until the determination of the outcome of the application for judicial review; and
- (ii) directions that the JSE permit Mr. Graham to attend work during this period.

The Minister of Labour referred the purported dispute to the IDT by letter dated 21st March 2017. Subsequently, by Joint Notice of Discontinuance filed 19th April 2017, Mr. Graham discontinued his claim against the Minister of Labour and the Attorney General.

By way of Claim Form filed on 24th April 2017 Mr. Graham commenced a claim against the JSE and Mrs. Marlene Street Forrest. The claim sought a number of declarations and injunctions in relation to the alleged suspension of Mr. Graham from his position as CRO.

The injunctions requested against the JSE were the following:

- (i) an injunction restraining the JSE from proceeding with the disciplinary hearing against Mr. Graham until the determination of the dispute before the IDT; and
- (ii) directions that the JSE allow Mr. Graham to attend work until the determination of the proceedings before the IDT.

Mr. Graham, in this claim, is also seeking damages for: (i) breach of contract for alleged loss of income or retroactive salary from 2008 and (ii) libel.

Arguments in relation to Mr. Graham's application for declarations and injunctions were heard on 1st and 3rd May 2017 by the Honourable Mrs. Justice V. Harris. On 18th May 2017 Mrs. Justice Harris declined to grant the declarations and injunctions requested by Mr. Graham and awarded costs to the JSE.

By Notice of Appeal filed 18th May 2017 Mr. Graham is challenging the decision of Justice Harris. On the same date an application was filed for an injunction pending the hearing of the appeal. This application will be heard in chambers by a single judge of the Court of Appeal.

Dated the 13th day of June 2017