

IN THE HIGH COURT OF JUSTICE
EASTERN CARIBBEAN SUPREME COURT
ANTIGUA AND BARBUDA

Claim No.: ANUHCV2025/0149

BETWEEN

ALKIVIADES DAVID
Claimant

-and-

[DEFENDANTS AS PLEADED]

CONSOLIDATED STATEMENT

Jurisdiction, Material Omission, Removal of a Plead Defendant, Parallel Sovereign Litigation, Cognitive Disability, and Prejudice to a Disabled Litigant

1. Jurisdictional Context and Sovereign Nexus

This matter arises within a jurisdiction central to disputes involving foreign assets, offshore financial structures, and internationally active legal actors. Multiple defendants pleaded in this action are resident in Antigua and Barbuda and/or maintain assets, banking relationships, or operational presence within the jurisdiction. These facts establish a substantial jurisdictional nexus under ordinary principles of presence, effects, and asset situs.

Antigua and Barbuda is simultaneously asserting sovereign jurisdiction in parallel proceedings arising from the Alpha Nero matter, in which the Government has publicly and legally defended its adjudicative authority, financial integrity, and international standing. Jurisdictional denial in the present matter must therefore be assessed consistently with that asserted sovereign posture.

2. Incorporation of the Original and Amended Claim Forms

The Claimant expressly incorporates by reference the Original Claim Form filed 17 April 2025 and the Amended Statement of Claim filed 24 September 2025, expanding the defendant list to include additional legal actors, banks, offshore financial institutions, and associated entities. The complete defendant schedules as pleaded form part of the record for all purposes relating to jurisdiction, service, default, and contempt. Any jurisdictional analysis that fails to engage with the amended pleadings is necessarily incomplete.

3. Removal of a Plead Defendant and Jurisdiction-Denying Submissions

Notwithstanding the pleadings on the record, the United Progressive Party (UPP) was removed from the case file order following submissions advanced by Mr. Philip of the Attorney General's Office, appearing in an amicus capacity. In those same submissions, it was asserted that this Honourable Court lacked jurisdiction.

The effect of removing a pleaded resident defendant was to narrow the jurisdictional analysis and exclude local political and factual effects already pleaded. The Claimant does not allege motive; the submission is that the procedural effect materially altered the Court's jurisdictional frame.

4. Omission of Parallel Sovereign Litigation by the Prime Minister

A further material omission in the Attorney General's Office submissions was the failure to place before the Court the fact that Gaston Browne, in his capacity as Prime Minister, has publicly commenced litigation-related steps against overlapping defendants pleaded in this action, including Boies Schiller Flexner LLP, David Boies, Jonathan Schiller, and Martin DeLuca.

That parallel sovereign action arises from the Alpha Nero matter and commenced with a formal pre-action demand letter dated 26 November 2025 from Rika Bird & Associates. The omission deprived the Court of material context when assessing jurisdiction and procedural posture.

5. Expanded Defendant Network: Banks, Offshore Entities, Default and Contempt

The Amended Statement of Claim pleads a materially expanded defendant network, including banks, offshore financial institutions, insurers, and related entities with international reach. Multiple such defendants have failed to acknowledge service or engage, despite proper notice, giving rise to defaults and contemptuous non-participation already on the record.

Jurisdiction-denying submissions that do not engage with the expanded defendant universe, the pleaded involvement of financial institutions and offshore entities, and the existence of defaults and contempt present an incomplete and distorted procedural picture. Default and contempt cannot negate jurisdiction.

6. Post-Hearing Engagement and Public Context

Following the hearing, the Claimant attended the Office of the Attorney General to seek clarification regarding the removal of the pleaded defendant and the jurisdictional consequences. The Claimant encountered Steadroy Benjamin, who directed Mr. Philip to attend and discuss the matter.

The discussion occurred openly in the public lobby of the Attorney General's Office, in the presence of multiple persons, including staff and a senior police officer. This is recorded solely to establish transparency and corroboration.

7. Prejudice to a Disabled Litigant in Person (Including Cognitive Disability)

The Claimant is a disabled litigant in person and has a recognised cognitive disability affecting the processing of complex procedural information. He is therefore particularly vulnerable to procedural omissions and jurisdictional arguments advanced without full engagement with the complete record.

The cumulative procedural omissions produced disproportionate prejudice, leaving no practical corrective mechanism once crystallised into a case file order. The prejudice arises from procedural effect, not alleged motive, and undermines access to justice and fairness.

8. Institutional Inconsistency with Asserted Sovereign Authority

The Claimant respectfully submits that jurisdiction-denying outcomes appear inconsistent with the Government's publicly asserted sovereign position in Alpha Nero-related litigation. While sovereignty is defended internationally, the domestic procedural effect was to narrow adjudicative authority. This submission is based on outcome, not motive.

9. Relief Sought (Procedural)

The Claimant respectfully invites the Court to assess jurisdiction by reference to the Original and Amended Claim Forms, take account of parallel sovereign litigation steps, recognise that defaults and contempt cannot negate jurisdiction, and consider the disproportionate prejudice arising to a disabled litigant with cognitive vulnerability.

Dated: 4 February 2026

Filed by:

ALKIVIADES DAVID

Claimant (Litigant in Person)