

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

|                     |   |                          |
|---------------------|---|--------------------------|
| SHIRLEY L. SMITH,   | : |                          |
|                     | : |                          |
| Plaintiff,          | : | CIVIL NO. 2002-227 (STT) |
|                     | : |                          |
| v.                  | : |                          |
|                     | : |                          |
| VIRGIN ISLANDS PORT | : |                          |
| AUTHORITY, et al.,  | : |                          |
|                     | : |                          |
| Defendants.         | : |                          |

**ORDER**

AND NOW, this 29th day of August, 2008, upon consideration of Defendants Virgin Islands Port Authority (“VIPA”) and Virgin Islands Port Authority Governing Board’s (hereinafter “Governing Board”) Motion for Partial Summary Judgment (Doc. Nos. 211 & 212) requesting dismissal of pro se Plaintiff Shirley L. Smith’s punitive damages claims, Plaintiff’s Response in opposition thereto (Doc. No. 206), and Defendants’ Reply (Doc. No. 213), it is hereby ORDERED that said Motion is GRANTED for the reasons set forth in the attached Memorandum.

It is FURTHER ORDERED that the punitive damages claims disallowed and dismissed pursuant to this Order as to the Plaintiff’s Second Amended Complaint are also disallowed and dismissed from Plaintiff’s Third Amended Complaint, if asserted therein, for the reasons set forth in the attached Memorandum.

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S/ James T. Giles  
HONORABLE JAMES T. GILES  
UNITED STATES DISTRICT JUDGE  
(Sitting By Designation)