



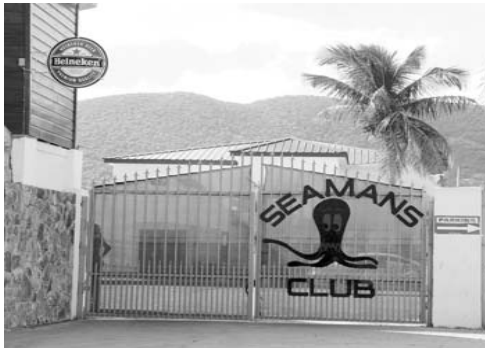
## Judge orders immediate reopening Seaman's Club

PHILIPSBURG—“I order that the Seaman's Club may be opened immediately for its clients during the period that the business licence for its new location is not being issued.”

This was the temporary provision which Civil Judge René van Veen handed down at the end of a civil summary proceeding in Philipsburg Courthouse Friday.

Directly after the judge had spoken, the owner of the adult entertainment business and other closely-related persons held each other in embraces that lasted several minutes.

Seaman's Club had moved from one location in Sucker Garden to another, Hypnotic Hotel, about 200 metres away, on July 1.



The owner of the former location had decided to cancel the lease after the brothel had been operating there since 1965.

The club's new location was closed on Friday, October 9, by order of a police officer.

Judge van Veen emphasised that the officer had simply done his duty when he requested the required legal documents, in particular a business licence for the new location, and no one was able to show them to him. Later on, it appeared that this document had not yet been issued by the Island Territory.

The judge recognised that, in fact, the brothel owners had been operating the business without the proper licences. However, he said, such a far-reaching decision as closing down a business could only have been made legally with written authorisation of the Executive Council.

The judge also imposed a penalty of US \$25,000 to be paid to the brothel owners by the Island Territory for each day the order to reopen the place is ignored.

However, the brothel boss told *The Daily Herald* he still had the key and would open the establishment immediately (Friday evening) and make the girls and the accommodation assigned to him at Hypnotic Hotel available to their clients.

Judge van Veen, with his temporary provision, followed almost completely the plea of attorney Roland Zwanikken of BZSE Attorneys at Law, who represented the companies Richbenzwan N.V. and Pemol Enterprises N.V. that have an interest in Seaman's Club.

Zwanikken stressed that closing the club had not been based on any valid legal arguments and that his clients' case was very urgent. As a result of a wrong decision, the future of the business and the owners, and the work opportunity of about 30 employees were threatened every day the brothel was closed.

He said his clients had known they would have no other choice than to move,

but that finding a new location for a brothel had been no easy thing. Negotiations for the move to Hypnotic Hotel had started last year September and after a letter of intent had been signed, his clients had gone to the Economic Affairs Department requesting that the move to the new address be approved.

Zwanikken said proceedings at the department had been very slow and new requirements had been placed again and again. He also mentioned that the approval by the Fire Department had taken more time than necessary, especially as the Fire Department had already approved the same building on a request by the owners, Hypnotic Hotel and Entertainment N.V.

Attorney Richard Gibson Jr., who represented the Island Territory of St. Maarten, contested the claim that the procedures necessary to issue a business licence to the new location had been slow.

He said instead that the brothel owners had been very slow in requesting the necessary permits. “Already in 2006, it was known that the Rent Committee would allow the owners of the building to cancel the lease.”

Gibson also reproached the contesting party for having waited until two months ago to take the necessary steps to officially change their working address. “So it's their fault,” he concluded.

Before he handed down his provisional decision, Judge van Veen asked the police officer, who was called as a witness, if he had been authorised by the proper authorities.

“No, I did it on my own accord. I told them to close when they could not show the permit,” the officer said.