

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PAIGE PEABOBY YAGER and	)	
JEFFREY YAGER,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civ. No. 13-1392-SLR
	)	
SHERATON OVERSEAS	)	
MANAGEMENT CORPORATION,	)	
	)	
Defendant.	)	

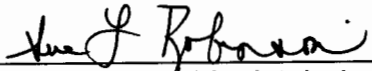
**MEMORANDUM ORDER**

At Wilmington this *14<sup>th</sup>* day of May, 2015, having considered plaintiffs' motion for a bench trial and the papers submitted in connection therewith;

IT IS ORDERED that said motion (D.I. 86) is granted. The right to a jury trial is a substantive right. *In re NDEP Corp.*, 203 B.R. 905, 910 fn. 4 (D. Del. 1996). The Bahamian Constitution provides a jury trial to its citizens charged with a criminal offense. Commonwealth of the Bahamas Constitution Art. 20(2)(g). However, the Bahamian Constitution does not expressly provide for a jury trial in civil matters. *Yager v. Starwood Hotels & Resorts Worldwide, Inc.*, 2013 WL 2414146, at \* 5 (E.D. Pa June 3, 2013), at \*5; *Campbell v. Starwood Hotels & Resorts Worldwide Inc.*, 2008 WL 2844020, at \*6 (S.D. Florida July 23, 2008) ("[S]ince there is no right to a jury trial in a civil case in the Bahamas, there is no compelling argument to be made here that a jury needs to view the scene."). Defendant has failed to present case law or other legal support for its contention that it has the right to proceed by jury trial with the instant

personal injury civil lawsuit.

IT IS FURTHER ORDERED that the pretrial conference shall be conducted on  
May 28, 2015 commencing at **3:30 p.m.**

  
United States District Judge