

# Exodus wins injunction

Friday 22<sup>nd</sup> February 2019



Exodus Steel Orchestra manager Ainsworth Mohammedis, left, and his attorney Farai Masaisai leave the Hall of Justice after they won their injunction last night.

PICTURE ANISTO ALVES

## JOEL JULIEN

Republic Bank Exodus will be allowed to play Kees Dieffenthaler's Savannah Grass for the upcoming Panorama final, Justice Kevin Ramcharan has ruled.

Ramcharan gave the decision late last night during an emergency sitting of the High Court after the attorneys for Exodus filed an injunction against Pan Trinbago earlier in the day.

The decision came at the same time Republic Bank was hosting a lime at the Tunapuna panyard of the four-time Panorama champions.

Exodus' manager Ainsworth Mohammed said the decision would have made last night's lime "a little brighter" on the steps of the Hall of Justice around 9 pm, moments after Ramcharan had read out his judgement.

"We are actually very relieved but I must admit I felt it was a sad day and a sad week for pan and the steelband movement and we don't gloat in that kind of thing.

We don't gloat in victories like this. We would like to see the steelband movement move forward with strength and that is the most important thing for us," Mohammed said.

"We always knew that it was our right, privilege, whatever you want to call it, to change the song, the rules never precluded it, there was precedence for it.

If it was such an important material part of the rules it should have been included in the rules that you are allowed to change or you are not allowed to change, that's the way I see it."

The Pan Trinbago rules are silent on the issue. Senior Counsel Elton Prescott led the five-member Exodus team which included attorney Farai Masaisai.

"The basis of the arguments was really fairness. Fairness and natural justice. When you make a decision as an organisation, it is important that you consult your members and that is what the judge said," Masaisai said afterwards. "The basis of the judgement was that when you change your rules, consult your members. And even if they want to change it for 2020 they ought to consult the band members."

Exodus had previously played Austin “Super Blue” Lyons’ Rag Storm for the preliminary and semifinal of this year’s Panorama competition. The band placed second to last after the semifinal with 265 points, 14 points behind current leaders and defending champions bpTT Renegades.

Mohammed said arranger Pelham Goddard has so far completed three minutes of the arrangement so far. An arrangement for the final is eight minutes long.

“It’s not fully arranged yet. We are about three minutes there but we are going to be there over the weekend. We will work all night tomorrow and all day Sunday and by the end of Sunday I am sure we will be near to seven minutes,” he said.

Pan Trinbago president Beverly Ramsey-Moore was absent from last night’s hearing as she was at the THA Pan Champs finals in Tobago. Pan Trinbago vice president Carlan Harewood, treasurer Gerard Mendez and external relations officer Dane Gulston appeared on behalf of the executive. Attorney Christlyn Moore represented Pan Trinbago. Contacted last night, Ramsey-Moore said Pan Trinbago would abide by the decision.

On Tuesday Exodus’ management decided to change the band’s tune of choice. However, on Wednesday Pan Trinbago barred the move after a unanimous vote by the executive during an emergency meeting to discuss the situation.

On Thursday, Exodus sent a pre-action protocol letter to Pan Trinbago saying the decision to bar the song was “arbitrary and not reasonable” as there was no rule stating explicitly that a band was allowed or prevented from changing its tune of choice.

Pan Trinbago responded to the pre-action protocol letter yesterday saying the organisation gave careful consideration to 13 matters before it and arrived at its decision.

While Exodus cited Solo Harmonites changing its Panorama tune of choice on two occasions, firstly in 1973 and then in 1983, Pan Trinbago said the organisation was only established in 1986 and therefore there was no precedent.

Ramcharan heard the matter at 5 pm yesterday (Friday 22<sup>nd</sup> February 2019) before he called the parties back to give a decision at 8.39 pm.