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### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### IN THE HIGH COURT OF JUSTICE

Claim # CV 2008- 05009

##### BETWEEN

**ENRA BREWSTER Claimant**

##### AND

## 

## DWAYNE RICHARDSON

## OMROY BARKER Defendant

1. I am the Defendant herein and the facts and matters hereinafter deposed to are true and correct and are within my personal knowledge and except where otherwise stated to be on information and belief in which case I verily believe the same to be true and correct.
2. I make this Affidavit in support of my defence.
3. That I will contend at the trial of this action that the claimant claim discloses no claim.
4. Without prejudice to the foregoing the I deny that the claimant is entitled to possession of the premises mentioned at paragraph 1 of the statement of case or at all. Albeit the first Defendant’s Grand mother, Juliet Brewster, of 2nd Caledonia, Cipriani Avenue, Morvant, who gave the permission to build the Said building Structure. Also, Mrs. Juliet Brewster, informed the First Defendant that she never gave any permission to the Claimant, also she is in the process of evicting her from the premises and pursuing that in the court of Law.
5. That the Defendant deny’s that they wrongfully entered into the property they were given permission by the owner of the premises.
6. That the defendant’s admit they erected a concrete column however denies that they cause any damage to the Claimant’s premises. The defendants deny that it is her premise at all..
7. That the Defendant’s deny paragraph 5 and moreover this matter was adjudged in the Magistrate’s court, no 11113-14 of 2017 and the Honourable Magistrate dismissed the matter.
8. That the Defendant’s deny the paragraph 6 the Defendant did negotiate with the Claimants but the negotiations failed.
9. The defendant’s neither admits nor deny the paragraph 7 since it is not in the knowledge of the defendants’. That I make no admission of the facts and matters pleaded at paragraph 3 of the statement of case. I contend that if (which is not admitted) the Claimant is the lawful owner of the premises that title is subject to the interest of the defendant.