**CHRISTOPHER GIDLA**

**Attorney At Law**

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**Attorneys At Law**

**99 A Duke Street**

**Port of Spain**

### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### IN THE HIGH COURT OF JUSTICE

**Claim # CV 2018-01091**

##### BETWEEN

**ERNA BREWSTER Claimant**

##### AND

## 

## DWAYNE RICHARDSON First Named Defendant

**OMROY BARKER Second Named Defendant**

**LIST OF DOCUMENTS**

This list is completed in accordance with an order for

1. Standard disclosure Yes
2. Specific disclosure No

Dated 16th October, 2018 and is served on behalf of the defendants.

I, **DWAYNE RICHARDSON, of First Named Defendant** certify that I have complied with that duty.

The following is a list of ALL the documents which- are in the physical possession of the defendants on which the defendants relies or intends to rely in these proceedings,

Neither the defendants nor his attorney at law nor anyone else on his behalf has now or ever has had in his physical possession, nor has the defendant now or ever has had the right to possession or the right to take copies of any documents which should be ever has had the right to possession or the right to take copies of any documents which should be disclosed and inspected under the terms of the court’s order other than those listed in this list of documents.

1. The First Named Defendant disputes the Claim on the following grounds:
2. Without prejudice to the pleading set out at paragraph 1 above the Defendants deny that the Claimant is and was at all material times the sole beneficial owner of the premises and entitled to possession of the said Premises described, assessed and known as Number 62A Cipriani, Avenue, Second Caledonia, Morvant, in the Ward of St.Ann’s in the island of Trinidad. Moreover, premises and the entitlement of possession belongs to the Second Named Defendant’s Grand mother, Juliet Brewster. She has given permission to the Defendant to build the building in question. The copy of the permission is hereto annexed and marked as “**D.R.1.”** Moreover, the Defendant puts the Claimant to strict proof as to their ownership and entitlement to possession of the aforementioned premises.
3. The Defendant admits paragraph 2 that he entered the premises and built a structure attached to the Claimant’s structure, however deny they did it wrongfully , since they have the authorization and permission to enter the premises and remain in the premises.
4. The Defendant admit to paragraph 3 that they erected and attached a concrete column to the Claimant’s structure, how ever denies that they caused any damage and loss and also denies they created any fire hazard to the Claimant’s structure. The defendants put the Claimant to strict proof as to the damages, loss and creation of fire hazard.
5. The Defendants deny the paragraphs 4&5 of the Statement of Claim and moreover, the matter has been dealt in the Magistrates’ court and the extract of the Magistrates’ court is hereto annexed and marked as **“D.R.2”.**
6. The Defendant admits paragraph 6 that the matter has been negotiated but the Claimants did not mediate on mutual basis but only to favor them and hence the negotiations failed.
7. The Defendant deny Paragraph 7.
8. The Defendant admit paragraph 8 of the statement of Claim in so far the Claimant and Defendant’s Attorney at law exchanged correspondence regarding this matter.
9. The Defendant denies particulars of damage and Loss alleged and puts the Claimant to strict proof thereof.
10. Save for admissions expressly made herein, the defendant denies each and every allegation and/or implication of fact or law contained in the statement of Claim as if the same were herein set out verbatim and specifically trasversed.

Dated day of 2018

**It is hereby certified that all the facts set out in the defence are true to the best of my knowledge information and belief and that it is impractical to have the Defendant sign this Certificate at this time.**

**Christopher Ross Gidla**

**Attorney at law**

**Gidla & Company on behalf of the Defendant**

We are acting for the Defendant, our address for service is Christopher Ross Gidla, Gidla & Associates, 99A Duke Street, Port of Spain.

Christopher Ross Gidla

Attorney at law

99 A Duke Street,

Port of Spain

Attorneys at Law for the Defendant

To: Alan C. Anderson

Attorneys at Law

No.63 Dundonald Street,

Port of Spain.

Attorney at Law for the Claimant