**IN THE REPUBLIC OF TRINIDAD AND TOBAGO:**

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### Claim No. CV 2011-01729

**IN THE HIGH COURT OF JUSTICE**

**BETWEEN**

**RUDOLPH SYDNEY**

**(through his lawful Attorney, Shirley Jones Rajkumar)**

**CLAIMANT**

**AND**

**NICOLE HYACINTH JOSEPH MARSHAL**

**STEPHEN MARSHAL**

**DEFENDANTS**

**NOTICE OF CONSENT APPLICATION**

The Parties apply to the court of the following orders:

1. That this application be dealt without hearing pursuant to Part 11.3 of the civil proceedings rules by way of facsimile transmission or such other means as the court may deem appropriate.
2. That the court dispenses the need for evidence in support of this application.
3. That the time limited for filing of the Claimants submissions be extended to the Wednesday 14th , 2015.
4. That the parties be relieved from any sanctions pursuant to part 26.7

A draft of the order that is sought is attached

The grounds of the application are

1. Pursuant to the order made by Hounourable Mr. Justice Boodoosingh the Defendant ought to file the defendant’s submissions on 29th of September, 2015 and the Claimant ought to file the Claimant’s submissions on 9th of October, 2015 twelve days after the Defendant’s submission. However, the by consent the Defendant filed his submissions on 29th of September, 2015 but delivered it on 2nd of October, 2015 and hence the Claimant could complete his submissions on 9th October, 2015. Hence the delay in filing his submissions.
2. The Claimant’s attorney’s office contacted the Defendant’s attorney’s office and requested his consent to an extension of time to the 14th of October, 2015. The claimant’s attorney’s office indicated that he would not have a difficulty with the same , provided his own deadline in replying to the Claimant’s submission extended if needed.
3. The parties attorneys will certify on this application that the variation agreed will not affect the period within which the trial, if any is to take place.

We the attorneys for the above name parties hereby certify that the facts stated above are true and that the variation agreed will not affect the period within which the trial, if any is to take place.

Dated 14th of October, 2015

Mr. Anand R. Singh Christopher Ross Gidla

Attorney at law Attorney at law

For the defendant for the Claimant