**GIDLA & ASSOCIATES **

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**To**

**Manager**

Town centre Mall

Port of Spain

Dear Sir

**RE: Accident of Chad Dipnarine due to negligent upkeep of the stairs in Town centre Mall, on 28th of August, 2012**

**PRE-ACTION PROTOCOL ISSUED IN ACCORDANCE WITH PRACTICE DIRECTION DATED THE 15TH DAY OF NOVEMBER, 2005 MADE BY THE CHIEF JUSTICE OF TRINIDAD AND TOBAGO.**

We act on behalf of Chad Dipnarine, of 29 Augustin Lane, Gongales, Bel Mont

This pre Action protocol is issued in accordance with the practice Direction dated the 15th of November, 2005 made by the Judiciary of Trinidad and Tobago.

**FACTUAL SCENARIO**

We are instructed by our clients that

1. On or about 28th of August, 2012, Chad Dipnarine was coming down the stairs in the Town Centre Mall and slipped on the stairs due to some rubbish on the stairs.
2. He went to the hospital and they told him that his right hand femur bone broke. and was put in a cast.
3. He had to under a surgery and he was put in cast.
4. We are in the process of getting the medical records and they told us it would take us 6 to 8 weeks.
5. This caused him a lot of pain and suffering and discomfort.
6. He is in form two st.Marys college and he could not do his class work properly
7. Since the condition he is in , the Mother of the child Judy De Vignes had take un paid leave from her work to attend to him.
8. This accident would not have happened if the stairs are kept clean at all times. Since the management is negligent in keeping the stairs unclean this accident has happened.

**In the Circumstances my client seeks the following relief**

1. **Claim for pain and suffering.**
2. **Loss of amenities since the accident has happened.**
3. **Loss of earings by the attendant his mother.**

**Legal proceedings to be issued**

Please be advised that should you fail and or neglect to respond to this Pre-Action Protocol, Legal proceedings would be issued within 14 days, which could incur further costs for you and also embarrassment.

I am required by the Practice Direction issued by the Judiciary on the 15th day of November, 2005, in respect of Pre Action protocol pursuant to the Civil proceedings Rules, 1998 (as amended) to remind you of the relevant provisions so that you will understand your responsibilities and obligations in respect of my Client’s claim as herein above stated and the powers of a judge of the High Court to impose sanctions, i.e legal costs on any party who fails or omits or neglects to follow and comply with these Pre Action Protocols.

Please be guided accordingly

Yours in Service,

**Christopher Ross Gidla**

Attorney at law