11th May, 2011

**To**

**Paul Madoosingh**

**Madoosingh Drive**

**Bois Bande**

**Sangre Grande**

Dear Sir

**Re: Road Traffic Accident and Personal Injury Claims, Veraj Singh, of Lp #37 Ojoe Road, Sangre Grande, Employed with Ian Juggeranuath of Ian Radiators repairs, Nexter Avenue, Ramdass Street, Sangre Grande.**

**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 are instructed by the above named to claim damages in connection with a road accident on 23rd February, 2010 around 5 pm at Ramdass Street, Sangre Grande

**Please confirm the identity of your insurers. Please note that the insurers will need to see this letter as soon as possible and it may affect your insurance cover and/or the conduct of any subsequent legal proceedings if you do not send this letter to them.**

**Factual Scenario**

We are instructed that our client on Tuesday 23rd February, 2010 at around 5pm, left work at Ian Radiators, in nexter Avenue, Sangre Grande and was walking south down Ramdass Street, to go to Ojoe Raod, He was walking on footpath and you negligently drove a Nissan Patrol, motor vehicle with the registration number, PAK 2622 and Collided with him from behind with the said motor vehicle causing him to loose conscious and thus was admitted in the Eric Williams Medical Sciences complex hospital.

He was in the hospital for 2weeks in the Eric Williams Medical Complex.

The reason why we are alleging fault is:.

1. Driving without due care and attention
2. Driving too fast in the circumstances
3. Driving too close to my client
4. Failing to keep any or any proper lookout or to have any or any sufficient regard for other traffic on the said road, more particularly my client
5. Failing to see my client in sufficient time to avoid the said collision
6. Failing to exercise or maintain any or sufficient or adequate control of PAK 2622
7. Failing to stop, slow down, to swerve or in any other way so to manage or control the said motor vehicle as to avoid the said collision with my client.

As a reason of the above collision my client suffered injuries as follows:

My Client was seen in the adult priority Care Facility . A computed Tomography was done and his brain revealed a left temporal epidural hematoma, (in other words a blood clot in the brain ) measuring 1.9 x 1.3 cm. He had minimally displaced fracture of the left greater wing of the sphenoid bone.

**Pain and suffering**

The client suffered excruciation pain when the injury was sustained. The Coma scale revealed that he was conscious when he arrived into the hospital suffering from a lot of pain.

Eventhough the hematoma subsided, the sphenoid fracture was not altered. Thus causing pain in the head even to this date.

Our client received treatment in the Eric Williams Medical Sciences Complex from the Neurosurgical unit from February 23rd , 2010 to March, 5th 2010. and still attends the hospital for further check ups.

He is employed with IAN JAGGERNAUTH doing repairs and serving radiators and gas tanks. He gets paid $150 a day. Gets paid $750 a week.

He was in the hospital from February 23rd, 2010 to March, 5th, 2010. For two weeks. And his loss of earnings would be $1500.

After being discharged from the hospital he couldnot go to work immediately and he was ordered to take rest for another 6 months.

His loss of earnings would be $18,000 for that period.

Due to his state he was unable to attend to his needs and required assistance. His mother used to attend to his needs. She has to take day off from her work and assist him in his needs for 6 months. Her minimum take home would be $3000 per month if she attended her regurlar work. As a consequence she lose $18,000 for that period.

Due to the fracture he could not attend the work as he used to do. His earning potential has decreased due to that. He has suffered permanent partial disability. At this point of time we do not know the full extent of the partial disability and it could be in the range of 25% to 30 %.

At this point of time we donot have the full particulars of the special damages and the general damages.

My instructions are that he might accept $250,000 for the total claim.

**Hence We expect a reply to this letter within 28days by yourselves or your insurers**

**NOTE: IF YOU DO NOT RESPOND LITIGATION WILL BE COMMENCED AGAINST YOU WIHTOUT FURTHER NOTICE AND YOU MAY SUFFER ADVERSE CONSEQUENCES IN COSTS AND/OR BY ANY DIRECTION OR ORDER THE COURT SEES FIT TO MAKE AGAINST YOU.**

Yours sincerely

Christopher Ross Gidla