**FORM 4: Appearance To Fixed Date Claim (part 9)**

### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

**CHRISTOPHER ROSS GIDLA**

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**Tel/624-4410**

**Bar No.GIC2006148**

#### IN THE HIGH COURT OF JUSTICE

Claim No. CV 2009 -01049

##### BETWEEN

**RUDOLPH SYDNEY Claimant**

##### AND

## 

## JOSEPH THOMAS Defendant

**APPEARANCE**

**WARNING:** This form should be completed and returned to the court at the address below within EIGHT days of service of the Claim Form on you. However, the Claimant will not be entitled to have judgment entered against you except at the first or subsequent hearing of the claim.

1. Have you receive the Claim Form with

the above Claim Number YES

2. IF so when? 13/04/2009

3. Did you also receive the Claimant’s

Statement of Case or affidavit in support YES

4. IF so when? 13/04/2009

5. Are your names properly stated on the

Claim Form? YES

6. DO you intend to defend the claim? YES

If so you must file a defence or affidavit in answer

within 28 days of the service of the Claim Form on you

7. Do you admit the whole of the claim? NO

8. Do you admit any part of the claim? NO

9. If so, what do you admit? \_\_\_\_\_\_\_\_\_\_\_\_\_

10. What is your own address? 24 San pedro road extension

valencia

11. What is your address of service? Christopher Ross Gidla,

Quamina,Gidla & Associates,

123 Duke Street,

Port of Spain

If you are acting in person you must give an address within 3 miles of the Court Office to which documents may be dent either from other parties or from the Court. You should also give your telephone number. FAX number and E-mail address if any.

Signed\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Defendant in person] [Defendant’s Attorney]

The Court Office is at the Hall of Justice Knox Street Port of Spain, telephone numbers 623-2416, Fax 625-8149. The Office is open between 8:00 a.m to 4:00 p.m Mondays to Fridays except on Public Holidays and Court Holidays.

### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

**CARL D. QUAMINA**

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**Attorney At Law**

**37 Abercromby Street**

**Port of Spain**

#### IN THE HIGH COURT OF JUSTICE

No.

##### BETWEEN

**Claimant**

##### AND

## 

## Defendant

**DEFENCE**

I dispute the claim on the following grounds –

**I certify that all the facts set out in my defence are true to the best of my knowledge information and belief. My address for service is**

Telephone No.

Signed\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Defendant Date

We are acting for the Defendant, our address for service is:

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorneys for the Defendant

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**COUNTERCLAIM**

I claim against the Claimant

(set out details of the remedy or relief sought)

on the following grounds –

**I certify that all the facts set out in my counterclaim are true to the best of my knowledge information and belief and that I am entitled to the remedy claimed.**

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Defendant Date

We are acting for the Defendant, our address for service is:

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorneys for the Defendant

Notes:

a. The Defendant may set out his defence in any way he chooses – it is not necessary to use this form.

b. The Defendant must –

* state which allegations in the claim he admits
* which he denies
* which he neither admits or denies because he does not know whether they are true
* identify any documents which he considers necessary to his case

c. He must give his reasons for denying any allegations made by the Claimant

d. The Defendant must set out clearly all the facts on which he relies to dispute the claim and must set out any different version of events on which he relies.

e. The Defendant may not be allowed to give evidence about any fact which is not set out in the Defence

f. If the Defendant wishes to counterclaim he must

* specify any remedy that he seeks against the claimant
* include any documents which he considers necessary to his case.

g. Where the Defendant is represented by an Attorney he must also sign the Form and give his address for service.