**CHRISTOPHER GIDLA**

**Attorney At Law**

**GIC2006148**

**123 Duke Street**

**Port of Spain**

**THE REPUBLIC OF TRINIDAD AND TOBAGO**

**IN THE HIGH COURT OF JUSTICE**

Claim #2007-04857

**EDWARD SORILLO Claimant**

**AND**

**AMALGAMATED SANITATION COMPANY Defendant**

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**NOTICE OF APPLICATION**

The Claimant Edward Sorillo of #93 Pinto Road, Arima, Trinidad applies to the Court for an order that

1.to Extend the time for serving the the Claim form and Statement of case filed on 28th of December, 2007

A Draft order is attached

The grounds of the application are

1. The Claimant filed his Claim form and the Statement of Case on 28th of December, 2007 by his attorney at Law Louis Noel
2. The said Claim form was not served and the four months of the date of serving the said Claim and the Statement of Case was expired.
3. The Claimant has a good merits of the case
4. In the Circumstances the Claimant prays that the court will make an order extending the time for serving the Claim form or alternatively to refile the Claim form

Dated the day of 2011

Christopher Gidla

Attorney at Law for the Claimant

Notice:

This application will be heard by his Lordship the Honorable Mr.Justice , in Chambers on the day of 2011 at the Hall of Justice, Knox street, Port of Spain

If you do not attend this hearing an order may be made in your absence.

NB: This notice of application must be served as quickly as possible on the Defendant to this Application

The Court office is at Hall of Justice, Knox Street, Port of Spain, Trinidad, telephone number 690-2156 Fax 690-2674. The office is open between 8:00 am and 4:00pm Mondays to Fridays Except Public holidays and court holidays.

Dated the day of ,2011

Christopher Gidla

Attorney at Law for the Claimant

The Applicant’s address for service is Gidla and Associates of #123 Duke Street, Port of Spain

I Edward Sorillo of #93, Pinto Road, Arima, Trinidad, Republic of Trinidad and Tobago, make oath and say as follows:-

1. I am the Claimant and I am aged 57 years. The facts deposed to herein are true and correct and within my personal knowledge unless where other wise stated.
2. I swear this affidavit in support of my application herein seeking an order extending the time to serve the claim form and Statement of Case filed on 28th December, 2007.
3. The above claim form and Statement of Case was filed on 28th December, 2007 by my attorney at Law, Louis A Noel. A copy of the Claim form and the Statement of case here to annexed and marked “ES1”
4. I have given necessary instructions to my attorney at law to serve the document within the stipulated time of four months.
5. On or about in the month of January,2008 I called the office of my attorney. He asked me to come into his office at about 11:00am on Wednesday, 15th of January. As told I went into his office at corner of Frederick Street and Queen street. He was not in the office
6. I waited for him until. 5:00pm but could not meet him
7. I became ill after that, because my injury in my leg started to give me pain again. I was completely bedridden and was not aware of daily events.
8. My children were looking after my chores and I am not in position to do any transactions. I could not call the office of my attorney at law as I was not in a state to do that and hence could not get an update on my matter
9. I was under the impression that my attorney was doing everything that was necessary to proceed with the above matter.
10. In 2009 February, after I became a little better and was in a position to get up, I went to the office of my attorney at law to enquire about the progress of the matter. Once again I did not find him in the office.
11. The attorney who is present there informed me that he was not well and was not coming to the office. I did not know where he lives
12. I went back to him in the month of March, 2009 only to find out that he has moved from his office and nobody present there knows about his whereabouts.
13. In October, 18th we made searches in the high court on my matter and we were informed that the claim was filed but was not served on the defendants.
14. From that time we were in search of an attorney to handle our matter.
15. We met Mr.Christopher Ross Gidla and retained him i to proceed with our matter. He advised us since the statutory limitation period was expired and it was not possible to refile the matter , it would be advisable that an application should be made to extend the time to serve the claim form and statement of case filed on December 28,2007
16. I have good prospects of winning the matter and I have been put to a lot of expense since the

injury and would be unable to support myself because of my injury. In these circumstances I ask this honourable court to grant leave to serve the claim form and statement of case or alternatively leave to refile the matter.

SWORN to at 123 Duke Street ]

Port of Spain, this 23th day of ]

March, 2011 ]

Before me,

Commissoner of Affidavits.

**“R.R.2”**

This is the Exhibit marked **“R.R.2”** referred to in the affidavit of **ROY RAMIREZ** sworn to this day of , 2008.

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**COMMISSIONER OF AFFIDAVITS**

**“R.R.3”**

This is the Exhibit marked **“R.R.3”** referred to in the affidavit of **ROY RAMIREZ** sworn to this day of , 2008.

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**COMMISSIONER OF AFFIDAVITS**