### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

(ORDINARY SUMMONS)

## IN THE PETTY CIVIL COURT OF Port of Spain

**(PETTY CIVIL COURT ORDINANCE CHAPTER 3 NO. 3)**

No. of 2009.

## BETWEEN

**MERVYN PATRICK**  **Plaintiff**

**Dickson Avenue**

**Diego Martin Main Road**

**Diego Martin**

**AND**

## B.GOODRIDGE Defendant

**Upper Simion Road**

**Petit Valley**

**\* \* \* \* \* \***

**YOUR ARE HEREBY SUMMONED** to appear at the PETTY CIVIL COURT OF Port of Spain on the day of 2009 at 9:00 o’clock in the forenoon to answer the Plaintiff **MERVYN PATRICK’S claim** in an action for negligent destruction of his house hold items the particulars of which are hereto annexed.

**Dated this day of 2009**

…………………………….

#### CLERK OF THE PEACE

Debt of Claim $ 10,030

Cost of Summons $ 10.00

Cost of Particulars $100.00

Attorney’s Fee $500.00

#### TOTAL $10,640

You are to produce all letters, account, bills, memoranda, documents, passbooks and papers in your possession relating to this action. If you do not appear on the above named day judgment will be given against you, in default for the whole amount claimed.

**TAKE NOTICE** that payment of the amount sued for herein will be accepted in instalments of

### payable on theTO: THE DEFENDANT at the above given addresses, Attorneys at Law for the Plaintiff is Messrs.Quamina,Gidla & Associates of 123 Duke Street, Port of Spain

(N.B.) This Summons must be personally served on the Defendant within a period of six (6) months from the date of issue.

If you pay the debt and cost as per margin on the other side into the chief clerk’s office, you will avoid further costs.

If you do not obtain leave to defend, but allow Judgment against you by default, the order upon such Judgment will be to pay the debt and costs forthwith.

**SUMMONS** to witnesses and for the production of documents by them will be issued upon application at the Chief Clerk’s office upon payment of the proper fees.

BRING THIS SUMMONS WITH YOU WHEN YOU COME TO THE COURT OR TO THE CHIEF CLERK’S OFFICE FOR ANY PURPOSE CONNECTED WITH THIS ACTION.

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#### ENDORSEMENT AFTER SERVICE

**-----------------------------------------------------------**

This Summons was served by me …………………………………………………………

Personally on ………………………………………………………………………………

at……………………………………………………………………………………………

………………………………………………………………………………………………on the ………….…day of …...……………… 2009, at …………………………………...

O’clock in the …………………………………… noon.

……………………………………

**BAILIFF.**

……………………………………

CARL D. QUAMINA

Plaintiff’s Attorney At Law

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**\* \* \* \* \* \***

1. The Defendant is and was and/or held himself out to be at all material times the Land lady of the Claimant at Pioneer Drive, Morne Coco Road, Petit Valley
2. The Claimant was at all material times a tenant of the Defendant paying a monthly rent of $1000.00 a month, for 17 years. The receipt are hereto annexed and exhibited and marked as “A”.
3. That on or about 2nd of October, 2008, the Defendants employed, Welders to do Welding works on the Galvanize roof, and due to the Negligence of the Welders, a fire accident was caused and destroyed the Claimants house hold items.
4. Since water was used to put off the fire a further damage occurred.
5. Further the Defendants caused the roof unrepaired and due to that the water seeked and caused further damage.
6. The photos of the items that were destroyed was hereto annexed and exhibited as JB2
7. The claimant through his lawyer wrote a letter to the Defendant on 28th January, 2009, as a preaction protocol letter explaining the damages and include an estimate with the letter. Till date the Defendant didnot respond to the letter. A copy of the letter is hereto annexed and exhibited as JB 3

**PARTICULARS OF NEGLIGENCE**

1. Failing to maintain a safe and adequate workplace.
2. Failing to use safe methods in doing the welding.
3. Failing to use proper skills and failing to guard the defendants property when use the equipment.

**PARTICULARS OF DAMAGE**

1. 1Bed Frame $ 3,000
2. 1 lensyl Mattress $ 1,250
3. 1 Setira Mattress $ 1,500
4. 2 Mattress Cover $ 350
5. 1 Plastic cover $ 30
6. 1 Feather Pillow $ 175
7. 1 Sheet Set
8. 1 mat $ 75
9. 1 Insulated cooler $ 150
10. 1 Large Suite Case $ 200
11. 1 Rubber Maid Cooler
12. 2 Chest of Drawers $ 1,500
13. 1 Portable Wardrobe $ 800
14. 2 Carpet 12 by 14ft $ 1,000

**TOTAL $ 10,030**

**AND THE PLAINTIFF CLAIMS**

1. Damages for negligence
2. Special damages in the sum of $
3. Cost
4. Such further and/or other relief as the nature of the case may require.

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# Christopher Ross Gidla

**Attorney At Law**

**For the Plaintiff**

**FILED ON BEHALF OF THE PLAINTIFF HEREIN.**