**CHRISTOPHER GIDLA**

**Attorney At Law**

**18-20 Pembroke Street**

**Port of Spain**

**Tel: 350-6259**

**Bar No. GIC2006148**

### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### IN THE HIGH COURT OF JUSTICE

Claim # CV 2011-02341

##### BETWEEN

**CLYDE MOSES Claimant**

##### AND

## RONALD CHARLES

## ALLYSTRA CHARLES

## Defendants

## Draft Order

Before the Honourable

Dated the day of 2012

UPON READING the application and affidavit of Ronald Charles the 1st named Defendant and the draft order attached there to, there being no hearing of the application

IT IS HEREBY ORDERED that:

1. Time be extended for the filing of the witness statements and List of Documents which was due to filed on 11th of May, 2012 and 29th of June, 2012
2. Both the 1st named Defendant as well as his Attorney are relieved from any sanction which the Court may have imposed for the failure of the 1st named Defendant to file the list of Documents and the Witness statements.
3. No order as to costs with respect to this application.

Registrar

## NOTICE OF APPLICATION

The Defendants **RONALD CHARLES** of 88 Fredrerick Street in the City of Port of Spain **and ALLYSRA CHARLES**  of 1522 Adams View Road in the City of Baltimore in the State of Maryland 21228 in the United States of America, apply to the Court pursuant to part 26.7 of the Civil Proceedings Rules 1998 as amended (hereinafter referred to as “CPR”) for (a) an order to extend the time within which to file their Witness Statements to a date to be determined by the Court.

A draft of the Order sought is attached.

The grounds of the application are:

1. The Honorable Mr. Justice David Harris on 20th of April, 2012 made an order that a standard Disclosure and oral inspection to be made on 11th of May, 2012 .
2. The Defendant retained an Attorney at Law and the Attorney did not file the Disclosure and witness statements on the dates indicated.
3. The Defendant subsequently approached Mr.Christopher Gidla, Attorney at law in the first week of July who told him he would check the file and give his opinion.
4. The Defendant did not inform him of the court dates and the filing of the Documents.
5. When the Attorney checked the file and enquired in the court he found that the Standard Disclosure and the Witness Statements are not filed.
6. The failure to comply was not intentional by the defendant.
7. Neither the Claimant nor the Defendants would be prejudiced in any way if this Hounorable Court grants the order sought.

An affidavit in support accompanies this application

Dated this day July, 2012

Christopher Ross Gidla

Attorney at Law for the Defendant

Notice

This application will be heard by His Lordship the Honourable ,in POS, Hall of Justice on the day of , 2012 at the Hall of Justice, Knox Street, Port of Spain at

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

The Honourable Mr. Justice will deal with this application by

NB This notice of application must be served as quickly as possible on the Respondent to the Application.

The Court Office is at the Hall of Justice, Knox street, Port of Spain, telephone number 623-2747, Fax No. . The office is open between 9:00 am and 3:30 pm. Mondays to Fridays and between 8:00 am and 4:00 pm Mondays to Fridays except Public Holidays and court Holidays.

The Applicant address for service is :

Christopher Ross Gidla, 18-20 Pembroke Street, Port of Spain.

To:

Registrar

Supreme court

HALL OF JUSTICE

KNOX STREET

PORT OF SPAIN

**Advocate Attorney : CHRISTOPHER GIDLA**

**Attorney At Law**

**18-20 Pembroke Street**

**Port of Spain**

**Tel: 350-6259**

**Bar No. GIC2006148**

### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### IN THE HIGH COURT OF JUSTICE

##### BETWEEN

**CLYDE MOSES Claimant**

##### AND

## 

## RONALD CHARLES

## ALLYSTRA CHARLES

## Defendant

I, **RONALD CHARLES,** of 88 Frederick Street, in the City of Port of Spain make oath and say as follows:

1. The facts and matters deposed to herein are true and correct and within my personal knowledge except where otherwise stated in which case I verily believe them to be true and correct.
2. I am the first Defendant in this matter
3. On 20th of April, 2012 Honourable Mr. Justice David Harris made an order that Standard disclosure have to be made by 11th of May, 2012 and witness statements to be filed on or before 29th of June, 2012.
4. I have retained Mr. Augustus Thomas as my attorney in this matter and I have found out that he did not comply with the order made by the Honourable Mr. Justice David Harris.
5. I approached Mr. Christopher Ross Gidla for an opinion in the first week of July. I did not furnish him with the dates of the order or inform/instruct him about the date of the order.
6. Mr. Gidla subsequently looked at the file and enquired in the court for dates of hearing and he later discovered that the dates are not complied with .
7. The Trial date was set for 11th of November, 2012 and this trial would still be met if the order sought was made..
8. I have a very good case of success and the interests of the administration of justice would not be met if the order was not made.
9. The failure to comply con be remedied since the matter could still proceed with the trial date.
10. I pray that the Court grants the order to extend the time for filing of the Witness statements as well as request for relief from sanctions as applied for in the annexed application .

Sworn by the above named }

Ronald Charles at }

18-20 Pembroke Street, }

Port of Spain, this day of }

March, 2012 }

Before Me

Commissioner of Affidavits.

**TRESPASS**

**Instructing Attorney at Law : AUGUSTUS THOMAS**

**18-20 Pembroke Street,**

**Port of Spain**

**Bar No:THA2006142**

**Tel. No:**

**Advocate Attorney : CHRISTOPHER GIDLA**

**Attorney At Law**

**18-20 Pembroke Street**

**Port of Spain**

**Tel: 350-6259**

**Bar No. GIC2006148**

### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### IN THE HIGH COURT OF JUSTICE

Claim # CV 03169 of 2011

##### BETWEEN

**RONALD RAMJIT Claimant**

##### AND

## 

## SHUKUNDAI SAMAROO Defendant

**DRAFT ORDER**

**UPON READING** the Defendant’s Notice of Application dated day of March, 2012 and the affidavit of Augustus Thomas, Attorney at Law for the Defendant sworn to on the day of March, 2012.

**IT IS ORDERED**

1. That the time for the filing of the defence be extended to the / dayof 2012.
2. That the cost in this matter be costs in the cause.

**Dated this day of , 2012**

**Registrar**