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**THE REPUBLIC OF TRINIDAD AND TOBAGO**

**IN THE HIGH COURT OF JUSTICE**

No.65 of 2014

Between

**ROSELLE MCINTOSH**

**Plaintiff**

**AND**

**BARBARA HARRIS Defendant**

**Reply and defence to the counterclaim**

1. The Plaintiff joins issues with the
2. defendant upon his defence save in so far as the same consists of admissions and save for any admissions contained herein.
3. In respect to paragraph 1 of the defence, the Plaintiff denies that there ever was a breach of the agreement. Even the defendant did not show in his defence that there is any breach by the Plaintiff of the terms in the agreement. Moreover, the clause that mentions the above term is vague and devoid of any literal sense or meaning.
4. Even the agreement and the tenancy was determined on 1st of May, 2013.
5. The Plaintiff admits that the Chandelier was taken by her by mistake. However, the Chandelier was returned to the Defendant in the presence of a witness. The Plaintiff also tried to return the keys and the Defendant refused to take the keys.
6. The Plaintiff paid the electricity bill on 13th of December 2013. A copy of the bill is hereto attached.

Defence to the counterclaim

1. The Plaintiff denies that she owes the defendant for the cost of the chandelier. The Chandelier was returned to her in the presence of a witness
2. The Plaintiff always agreed to return the keys to the apartment. The Plaintiff made many attempts to call the Defendant and return the keys. The Plaintiff was never approached nor informed that the Defendant was trying to change the locks. The Plaintiff denies that she ever said that she took the Chandelier for the security deposit.
3. The defendant did not make any attempts to approach the Plaintiff and get the keys as an attempt to mitigate the loses.
4. The Plaintiff denies that she owes the defendant $600 for the T&TEC electricity bill. Since she paid the bill herself on 13th of December, 2013. A copy of the bill is hereto attached.

Dated this 20th of August, 2013

This reply and the defence to the counterclaim was issued by Christopher Ross Gidla for the Defendants.

To the chief Clerk

Petty Civil Court

Port of Spain

AND TO:

Barbara Harris

#11 Romain Lands

Morvant