**FORM 3: APPEARNCE TO FIXED DATE CLAIM (Part 9)**

**CHRISTOPHER GIDLA**

**Attorney At Law**

**C/O Wilson & Company**

**Attorneys’ At Law**

**37 Abercromby Street**

**Port of Spain**

### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### IN THE HIGH COURT OF JUSTICE

Claim # CV 2009 - 01754

##### BETWEEN

**MOLLY PIERRE Claimant**

##### AND

## 

## DAVID WONG LEE

## And HOUSING DEVELOPMENT CORPORATION Defendants

**APPEARANCE**

**WARNING: If this form is not fully completed and returned to the court at the address below within EIGHT days of service of the Claim Form on you, the Claimant will be entitled to apply to have judgment entered against you. If he does so you will have no right to be heard by the Court except as to costs or the method of paying any judgment unless you apply to set judgment aside.**

1. Have you received the Claim Form with

the above number YES

2. IF so, when? 1st June, 2009

3. Did you also receive the Claimant’s

Statement? YES

4. If so, when? 1st of June, 2009

5. Are your names properly stated on the NO

Claim Form? If not, what are your

full names Dave Wong Kee

6. DO you intend to defend the claim? YES

If so you must file a defence within 28 days of the service of the Claim Form on you

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

If you do you should either

1. Pay the claim direct to the Claimant or his attorney, or
2. Complete the application form to pay the Claim by instalments

If you pay the whole debt together with the costs and interests as shown on the Claim Form you will have no further liability for costs

8. Do you admit the whole of the claim? If you do you may-

(a)pay the money that you admit direct to the Claimant or his attorney, or

(b) Complete the application form to pay the Claim by instalments

10. If so, how much do you admit? NO

If you dispute the balance of the Claim you must also file a Defence within 28 days of service of the Claim Form on you or Judgment may be entered against you for the whole amount claimed.

10. What is your own address? 62-64 Apartment C,

Nelson Street, Port of spain

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

Attorney at Law

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 sent 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**

**Attorney At Law**

**C/O Wilson & Company**

**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.