**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 #CV 2011

**TYRONE GIBBS Claimant**

**AND**

**RBTT BANK LIMITED**

**Defendant**

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I, TYRONE GIBBS, of #37, Rose Wood Avenue, Coconut Drive, Morvant , in the Island of Tobago, make oath and say as follows:-

1. I am the Claimant herein. The facts and matters herein deposed to are true and correct and within my personal knowledge except where stated to be on information and belief in which case I verily believe same to be true.
2. On or about the 19th of February, 2011 I commenced these proceedings against the Defendant via a Claim Form and Statement of Case filed herein on the said 19th of February, 2011. The copy of the Claim Form and Statement of case is hereto annexed and marked “TG1”
3. The Said Claim Form and Statement of Case were duly served on the Defendant on 17th of February, 2011. On or about, 17th of February, 2011, I went to the Legal Department of the RBTT Bank Ltd, at about 9: 05 am at 8 sweet Briar, Road, St. Clair, Port of Spain, and served the documents on Ms. Elizabeth Ramdeo, Legal officer of the Said Bank. She initialed a copy of the Claim Form.
4. To date the Defendant has not entered any memorandum of appearance. He did not contact me or my Attorney at Law, Mr.Christopher Ross Gidla to indicate the position of him with respect to the claim filed herein. I am anxious to have this matter resolved.
5. I am at all material times the account holder of the Defendant Bank.
6. I have applied for a loan in the said Bank. On or about 17th of May, 2010 I went to the said Bank to enquire about the Loan. The Loan officer after taking all the necessary documents they asked still was asking for next job letter.
7. I was disappointed with the way the Bank was treating me. I was by the ATM maching withdrawing money. I was talking to myself about how the Bank treated me.
8. Then one of the Security officers came to me and asked what I was talking about.
9. Then one of the officers grabbed the slip belonging to me from the ATM machine and grabbed my left hand elbow digging his finger nails into my hand and thus injuring me and dragged me out of the Bank in front of other customer’s of the Bank.
10. This caused an excruciating pain in my hand and a lot of embarrassment .
11. I made a report in the San Juan Police station. I was then told to go by a Doctor. I went to the Port of Spain Health Centre in Oxford Street, and was examined by a Doctor and treated. A copy of the medical report is hereto marked and “T G2” and attached.
12. Due to the pain in the arm the I could not go to work for a week and lost $500 dollars per day during that time.
13. I caused my attorney Mr.Noel John to write a letter to the defendant Bank, to the attention of Michelle Mc Kenzie Gonzales and till date there was no response.
14. I have retained Mr. Christopher Gidla, later as my attorney at law and he wrote a letter to Ms.Elizabeth V.Ramdeo of the Legal Department of the said Bank.
15. She replied to Mr.Christopher Gidla on 1st of February, 2011 denying my claim. A copy of the letter is hereto attached and marked “TG3”
16. I verily believe that the Defendant has no defence to the claim herein as no Defence was ever filed on behalf of the Defendant.
17. In the circumstances I humbly pray that this court do enter Judgment against the Defendant herein in default of not entering an Appearance or the defence and that an order be made for the Claimant as outlined in the prefixed notice of Application filed herein.

Sworn to at # 123 Duke Street)

Port of Spain this )

Day of 2011 )

**Before Me,**

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**Commisioner of Affidavits.**