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**THE REPUBLIC OF TRINIDAD AND TOBAGO**

**IN THE HIGH COURT OF JUSTICE**

Claim No. CV 2011 -01157

BETWEEN

**EASTERN CREDIT UNION CO-OPERATIVE SOCIETY LTD**

**Claimant**

**AND**

**GLENFORD COX**

**GERMAINE COX**

**Defendants**

**DEFENCE**

1. The Defendant admits paragraph 3 to 6 of the Statement of Case.
2. The Defendant admits paragraph 8 of the Statement of Case. The Defendants has set up a standing order with the bank from the beginning of the mortgage to pay $752.50 per week towards the payment of the mortgage. The mortgage was taken by both the 1st and 2nd defendants.
3. The Defendant admits paragraph 7 of the affidavit of the Claimant, that the Claimant paid over to the Defendant, $500.00. But however denies the amount is liquidated.
4. The 1st defendant never stopped the standing order. Eventhough the Claimant wrote to the defendant on 15th of march,2010, notifying his right of election to repudiate the agreement, he kept on accepting the instalments from 15th of march, 2010.
5. The Claimant received payments on 4th,14th, 30th, of June, 16th, 19th, and 30th of August, 9th, 17th of September, 26th,of November, 8th, 23rd, 30th of December, and 10th, 31, of Janury , 2011, 4th of February, and 11thf of March, and the standing order still remains to this date.
6. The Defendant cleared all the arears and paid all subsequent instalments that accured thereafter.
7. The defendants till date has paid $210,539.27 towards the interest and $36,964.29 towards the Principal
8. On or before 4th of July, 2011 the Claimants have drawn $18, 621.16 from the Defandants account and till date the details of why the above monies were drawn was not given by the Claimants.
9. The matter has not been referred to the Commissioner for the Co-operative development for a decision as per section 67 (1) of the Co-operative Societies act Chapter 81:03.

**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**

**Augustus Thomas, 18 – 20 Pembroke Street, Port of Spain,Telephone no : Fax no.**

**Signed**

**Defendant**

**We are acting for the defendant, our address for service is Augustus Thomas, 18-20 Pembroke Street, Port of Spain,**

**Signed**

**Attorneys at law for the defendant**

**The Court office is at Hall of Justice, Knox Street, Port of Spain, telephone number 623-7969, Fax number : 623-2417. This office is open between 8:00 am and 4:00 pm. Mondays to Fridays except on Public Holidays and   
court Holidays.**

**To**

**The Registrar of the Supreme Court**

**And to: Jessica Harragin**

**Johnson, Camacho & Singh**

**Attorney’s at Law**

**First Floor, Briar Place**

**NO.10 Sweet Briar Road,**

**St.Clair.**