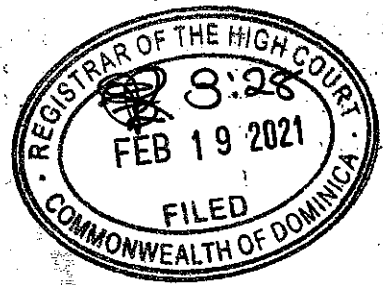


CLAIM FORM
[Rule 8.1(4)]

Case Type: Specific performance/Breach of contract



IN THE HIGH COURT OF JUSTICE
Commonwealth of Dominica
DOMHCV 40 of 2021
BETWEEN:

DARYLL WILLIAMS

CLAIMANT

AND

PATRICK CHARLES And PATRICIA CHARLES
As Personal Representatives of John A. Charles
(deceased)

DEFENDANTS

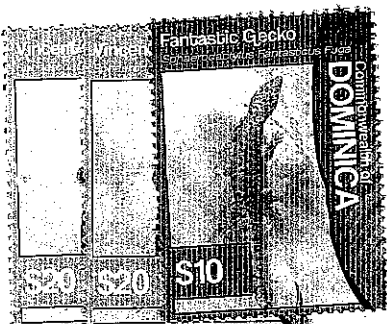
The Claimant Daryll Williams of Morne Daniel in the parish of St George claims against the Defendants Patrick Charles and Patricia Charles in their capacity as Personal Representatives of John A. Charles (deceased) of Roseau in the Parish of St George, Specific Performance of a contract for the sale of a portion of land containing 20.667 acres part of land registered in Book of Titles B5 folio 25 in the name of John A. Charles, damages for breach of contract in lieu of or in addition to specific performance, further or other relief and cost.

Dated this 19th day of February 2021

Singoalla Blomqvist-Williams
Solicitor

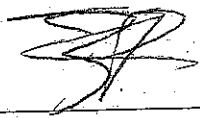
CERTIFICATE OF TRUTH

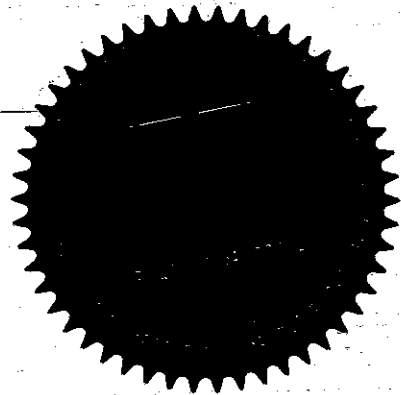
I Daryll Williams, of Morne Daniel certify that I believe that the facts stated in this Claim Form are true.



DARYLL WILLIAMS

Filed by Singoalla Blomqvist-Williams of Cnr. Old & Church Streets, Roseau, and Commonwealth
Dominica.


Singoalla Blomqvist-Williams
Solicitor



NOTICE TO THE DEFENDANTS – See the notes served with this Claim Form

This Claim Form must contain or have served with it either a statement of claim or a copy of a court order entitling the claimant to serve the claim form without a statement of claim.

If you do not complete the form of acknowledgement of service served on you with this Claim Form and deliver or send it to the court office [address below] so that they receive it within FOURTEEN days of service of this Claim Form on you, the claimant will be entitled to apply to have judgment of service may be completed by you or a solicitor acting for you.

You should consider obtaining advice with regard to this claim.

This claim form has no validity if it is not served within six months of the date below unless it is accompanied by an order extending that time.

This court office is at Dame Eugenia Charles Boulevard, Roseau, Dominica. Telephone # 1[767]448-2401 ext. 3129, 3144, 3110 and 3388, Fax 1[767]448-7400. The e-mail address is registrar@cwdom.dm. The office is open between 8:15a.m. and 4:00p.m. Mondays to Fridays except public holidays and court holidays.

RM 1A: NOTES FOR DEFENDANT

This Form is important

When you get this document, you should consider getting legal advice.

ACTION TO BE TAKEN ON RECEIPT OF THIS FORM

The Claimant is making a claim against you the Court. If you do nothing judgment may be entered against you. That means that the Claimant will be entitled to take steps to enforce payment from you of any money he is claiming and you will have no right to be heard except as to the amount of any costs claimed or as to the way in which you can pay the judgment unless you apply to set judgment aside

WHAT YOU CAN DO

You can

A. Defend the Claim

If you would like to do this you must:

Complete the form of acknowledgment of service and return it to the court office so that they receive it within **FOURTEEN DAYS** of the date on which you received this Form. AND, provided that a statement of claim was served on you with the claim form-Complete the form of defence or submit some other form of defence showing why you dispute the claim and giving full details of all the facts on which you intend to rely if there is a trial. This must be delivered or sent to the court office so that they receive it within **TWENTY EIGHT** days of the date on which you received this Form and a copy must be served on the claimant's solicitor (or the claimant if he has no solicitor) at the address given.

If no statement of claim is served with the claim form you need not file and serve a defence until twenty eight/forty two days after the statement of claim is served on you.

After you have filed your defence you will be given details of the date, time and place of a case management conference at which a judge will decide what issues have to be determined by the Court and give directions about how what needs to be done before the case is tried. You must attend that hearing.

B. Admit the whole of the Claim

Complete the form of acknowledgment of service stating that you admit the claim and return it to the court office so that they receive it within **EIGHT DAYS** of the date on which you received this Form.

If you can pay the amount stated on the claim form including fees, costs and interest you should pay this to the Claimant within **EIGHT** days and no further steps can be taken against you. You must add interest at the daily rate shown from the date stated on the Claim Form.

If you cannot pay this sum in full you may apply to the court to pay by instalments. If you wish to do so you must complete the financial particulars form and return this to the court with your acknowledgment of service.

C. Admit part of the claim and defend the rest

Complete the form of acknowledgment of service stating how much you admit and return it to the office so that they receive it within FOURTEEN DAYS of the date on which you received this Form A. AND complete the form of defence as under section A above.

You may also:-

Pay the amount that you admit direct to the Claimant OR apply to pay that sum by instalments. If so you should follow the procedure indicated under B.

D. Make a claim against the Claimant

If you would like to do this you must:

Complete the form of acknowledgment of service and return it to the court office so that they receive it within FOURTEEN DAYS of the date on which you received this Form AND complete the form of defence giving details of your defence [if any] to the claim as under A above and also the claim that you are making against the Claimant and return it to the court office so that they receive it within TWENTY EIGHT days of the date on which you received this Form.

If you admit the Claim but wish to counterclaim you should say so. If your counterclaim is for a lower sum than the claim you may pay the difference between the amount that the claimant claims from you and the amount that you claim from him direct to the Claimant OR apply to pay that sum by installments. If so you should follow the procedure indicated under B you will then be given details, time and place of a case management conference at which a judge will decide what issues have to be determined by the Court and give directions about what needs to be done before the case is tried.

REMEMBER, IF YOU DO NOTHING, JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT ANY FURTHER WARNING.

IN THE HIGH COURT OF JUSTICE
Commonwealth of Dominica
DOMHCV 410 of 2021
BETWEEN:

DARYLL WILLIAMS

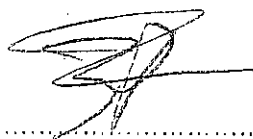
CLAIMANT

AND

PATRICK CHARLES And PATRICIA CHARLES
As Personal Representatives of John A. Charles
(deceased)

DEFENDANTS

CLAIM FORM



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Singoalla Blomqvist-Williams
Solicitor