

IN THE DISTRICT COURT]
OF JUSTICE AT PORT MORESBY]
PAPUA NEW GUINEA]

DC. NO. 20 OF 2023

BETWEEN:

SUSIE QUE
-Complainant-

AND:

RAIT MAN
-First Defendant-

AND:

MOTOR VEHICLE INSURANCE LTD
-Second Defendant-

DEFENCE

Dated: 28th April 2023

Filed: 28th April 2023

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The Defendants in response to the Complainant's complaint and Statement of Claim filed 13th March 2023, say the following in their Defence:

1. In relation to paragraph 1 of the Complainant's Statement of Claim, the Defendants do not know and therefore, neither deny or admit.
2. In relation to paragraph 2 of the Complainant's Statement of Claim, the Second Defendant admit the same.
3. In relation to paragraph 3 of the Complainant's Statement of Claim, the Second Defendant admit the same except to the extent that the First Defendant's Bus P-07008 is uninsured.
4. In relation to paragraph 4 of the Complainant's Statement of Claim, the First Defendant denies that he was not speeding at the intersection point and says also that he had the right of way.
5. In relation to paragraph 5 of the Complainant's Statement of Claim, the Defendants deny and say that the Complainant contributed to her own injuries by accepting the risks of getting on the Bus.

6. In relation to paragraph 6 of the Complainant's Statement of Claim, the First Defendant admits the same.
7. In relation to paragraph 7 of the Complainant's Statement of Claim, the First Defendant denies that he was negligent in his manner of driving and that he breached his duty of care to the complainant as particularized under 7(a) to (e) and says that the Complainant contributed to her own injuries, particulars of which are as follows:

PARTICULARS OF CONTRIBUTORY NEGLIGENCE:

- a) Accepting the risk by getting on the Bus.
8. In relation to paragraph 8 of the Complainant's Statement of Claim, the Defendants deny that the First Defendant was negligent in his manner of driving and deny that the First Defendant was negligent in his manner of driving and deny that the Complainant suffered injuries as particularized at paragraph 8(a) to (c).
9. In relation to paragraph 9 of the Complaint's Statement of Claim, the Defendants deny the same.
10. In relation to paragraph 10 of the Complainant's Statement of Claim, the Defendant's deny that the Complainant is entitled to the reliefs sought at paragraph 10 (a) to (e).

DATED: 28th April 2023

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VINCENT MIRUPASI
Principle of Mirupasi Lawyers
By his Employed Lawyer
Michael Titus
Lawyer for the Defendants