



CCT/188/20/S

Valeria Latina

VS

Alino Giuseppe Alongi

Today the *2nd* day of March, 2023.

The Tribunal,

Took cognizance of the request submitted by Valeria Latina on the 7th of December, 2020 and that no reply was filed on the part of defendant Alino Giuseppe Alongi;

Examined the presented documents and heard both parties and their verbal submissions;

Considered

That plaintiff is suing defendant for the sum of €3,494.06 regarding necklace repairs, but when defendant Alino Giuseppe Alongi showed the necklace during the sitting held on the 24<sup>th</sup> of June, 2021, Valeria Latina said that the necklace was not the one that she gave to defendant for cleaning;

That plaintiff Valeria Latina stressed on the fact that the necklace presented by defendant is completely different from the one in the photos as presented in the acts of this case;

That the Tribunal nominated an expert Renato Zampa, in order to examine the necklace but the Tribunal was informed that during the sitting scheduled for this scope, defendant could not get the necklace because according to him the key of the safe got broken in the lock and he could not open it. Till the last sitting held by this Tribunal, that is on the 2<sup>nd</sup> of February 2023, the situation was the same with the necklace according to defendant being still locked up in the safe;

A handwritten signature in blue ink, appearing to be 'R. Zampa'.



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That plaintiff managed to prove that the necklace she handed over to defendant was in his possession and the latter, that is the defendant, had to act like a *bonus pater familias* in this regard, which apart from the intrinsic value of the necklace, had also a personal value because it was given by a relative;

That defendant changed his version because at first he said he lost the key, and then in a second instance, he said that the key got broken in the lock and could not open the safe;


That according to plaintiff, the necklace that defendant showed was different from the one that she had given him, both in shape and in colour;

That according to defendant, he was still waiting for someone to open the safe, and according to him the value given by plaintiff was excessive;

That on the other hand, defendant did not put forward any evidence relating to the question of value and in order to counteract the value given by plaintiff;

That this Tribunal did not find defendant's version of events as credible to say the least;

Consequently, for the abovementioned reasons and after taking into consideration all the acts and Chapter 378 of the Laws of Malta, the Tribunal Decides to Accept Valeria Latina's request and Orders that defendant Alino Giuseppe Alongi pays plaintiff Valeria Latina the sum of €3,494.06. All expenses of these procedures are to be borne by defendant Alino Giuseppe Alongi.



Richard Sladden Av.  
Arbiter