



IN THE SMALL CLAIMS TRIBUNAL

Adjudicator: Dr. Claudio Zammit B.A. LL.D. M. Jur (Eu. Law)

Sitting of Monday, 15th January 2018

Claim number: 464/17 CZ

Olena Leontyeva

vs.

**Alexandru Gabriel Cretu Torica, and by a decree of this Tribunal dated 30th
October 2017 Dr. Victor Bugeja was nominated as curator ad litem of defendant**

The Tribunal,

Having seen plaintiff's claim, filed on the 3rd October 2017, wherein she declared that:

Plaintiff on behalf of voluntary organisation 'Ghollina' VO/1267, claims that the organisation decided to buy Bitcoins since these can be redeemed anywhere around the world, without having to carry cash or cards.

The organisation intended to travel to Kenya and decided to buy Bitcoins and then re-sell them in Kenya and use the money there. Plaintiff contacted defendant, whom she found via newspaper Times of Malta, and effected a payment of three thousand Euro (€3,000) into his bank account with BOV. She was to wait for defendant to send the Bitcoin string into her e-wallet, but this never materialised. She contacted him endlessly, through e-mail, Whatsapp, but to no avail until she lost contact with same.

The Tribunal;

Considered that plaintiff gave her testimony during the sitting of 30th October 2017, and exhibited a number of documents from which it results that defendant is no longer present in Malta. In that same sitting the Tribunal appointed a curator for defendant.

Considered also plaintiff's testimony given during the sitting of the 20th November 2017.

Considered also that the curator, duly served with the acts of these proceedings, did not file a reply and did not appear in front of this Tribunal.

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Considered also the questions or statements made, requesting a reference to the oath of defendant, filed on the 10th January 2018.

Considered the fact that the curator did not appear to reply to the same questions. The note with the questions contained therein can be therefore considered to be duly confirmed.

Considered all the circumstances of this case.

Decides therefore that plaintiff's claim has been sufficiently proven, and accedes to plaintiff's request and orders defendant to pay to plaintiff the sum of three thousand Euro (€3,000), with interest from the date of this judgment until the sum is effectively paid.

The expenses for these proceedings shall be borne by defendant.

Dr. Claudio Zammit

Adjudicator

Mary Josette Musu'

Deputy Registrar