

**SUPERIOR COURT OF JUSTICE
CIVIL
393 University Ave – 10th Fl
Toronto ON M5G 1E6**

BETWEEN

Gana Kiritharan **Plaintiff**

and

TD Canada Trust **Defendant**

AFFIDAVIT OF DOCUMENT 8 CIVIL

**(COMMUNICATIONS MADE BETWEEN GANA KIRITHARAN
AND EQUIFAX CANADA INC.)**

I, Gana Kiritharan, of the City of Toronto, of Province of Ontario, the Plaintiff in this action,
MAKE OATH AND SAYS AS FOLLOWS:

1. On 5th of December 2007, through a letter I brought to the attention of the Equifax Canada Inc. the incident of Forgery I experienced in April 2004, which is explained in Affidavit of Document 6 Civil and the way my Line of Credit with TD Canada Trust reported in Equifax Credit report, which I argue another incident of Forgery.
2. On 12th of December 2007, I received a reply from Equifax Canada Inc. That letter failed to address my concerns.
3. Again on 9th of January 2008, I send a second letter to Equifax Canada Inc. explaining my dissatisfaction regarding their reply.

4. On 22nd January 2008, I received a second reply from Equifax Canada Inc. Even in this reply Equifax Canada Inc failed to address my complaint about incident of forgery which I experienced in April 2004. When addressing the way my Line of Credit with TD Canada Trust is reporting, Equifax Canada Inc. informed me that, they received a response and confirmation from TD Canada Trust that the information reported about my Line of Credit in their Credit Report is accurate and factual.
5. I am enclosing the copies of corresponding letters with this affidavit.

SWORN Before Me at the
City of Toronto, Province of Ontario
This Day 12th of May, 2008



A. Anissimova
Registrar, SCT.


Signature of Plaintiff

Dated: 5th December 2007

Gana Kiritharan,
307 – 10 StoneHill Court,
Scarborough ON M1W 2X8

Equifax Canada Inc.
Consumer Department,
P.O. Box 190
Station Jean-Talon
Montreal, PQ H1S 2Z2

Dear Consumer Department,

Repeated Incidents of Forgery in Equifax Credit Reports.

1. Gana Kiritharan, would like to bring your kind attention of repeated incidents of forgery in my Equifax credit reports. The details as follows.

1. I took an Equifax Power Score in 2004 April and found the score as 687. Then again I took the score in 2004 November and found the score as 686. After taking the second one only I realized my 2004 April score may an intentionally altered one and the actual score could be between 725 and 735. At that time, I had a plan to increase my credit limit by 10,000.00 – 15,000.00 Dollars which might be became a grate help in building my business and personal life. But this incident of forgery destroyed that opportunity. Even though I took the score by locking into Internet Equifax account myself, a person named Mr. Nirthanandan Sethukavalar specifically requested me to take the report. His behavior when I took the report and after the incident was suspicious. I am happy to provide full information in case of any inquiry in this matter.
2. Due to some unexpected financial situations (partly due to above mentioned forgery interference) I stopped payments for my credit cards between November 2004 and March 2005. I stopped payment for my line of Credit with TD Canada Trust on March 2005 and went to India and Sri Lanka.

While I was away from the country there were transactions in line of credit in September - October 2005 as follows.

Date	Trans Description	Trans Amount	Balance
09/30/2005	Interest	82.01 DR	11,561.83-
10/19/2005	Interest	49.89 DR	
10/19/2005	Collection Item	11,611.72 CR	
10/19/2005	Close Account	0.00 DR	0.00

Above Transaction is being reported as below in another company's credit report.

Reported	Opened	Last Activity	High Credit	Balance	Past Due Terms Amount	Account Type/Current Payment	Payment History
							30 60 90 #m
TORONTO DOMINION BANK							
Oct 01, 2005	May 2002	Oct 2005	11,000	0	0	346/Month R5 REVOLVING AT LEAST 120 DAYS OVERDUE	1 1 5 42
Comments: CLOSED CONSUMER'S REQUEST, LINE OF CREDIT							

But in Equifax credit report my line of credit is being reported in a different manner.

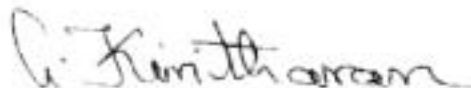
TDCT TR 16252 last reported to us in 12/05 rating your revolving account as R9, meaning a bad debt, collection account or unable to locate. At that time the reported balance of your account was \$11000. Your account number is xxx...424. This account is in your name only. This account was opened in 05/02. The credit limit or highest amount of credit advance was \$ 11000. Your account is past due in the amount of \$11000. The last payment or transaction made on this account was in 04/05. Additional comments : Personal line of credit. Bad Debt.

According to experienced people above transaction in my line of credit represent that Bank took an appropriation from funds belong to me and closed the account. Also other credit reporting company's way of reporting may be a better way to report my line of credit. The way it is being reported in Equifax may be an Forgery. For your defense TD Canada Trust with whom above line credit was managed also failing to accept that they made appropriation from funds belong to me. It may be because they made an appropriation from concealed funds. This matter is still a dispute and I have filed a civil action against the bank in Canadian Civil Court (File No: 07 – CV – 341987PD 2).

These incidents caused major damages in my personal and business financial life and caused unnecessary stress and pain for me and I am considering these incidents as serious interference into my financial life. I would like to ask you to take all possible actions to identify the people committed these offence and punish them according Canadian Law. I will not rule out taking Civil Action against Equifax for Negligent or Fraudulent misrepresentation.

Thank You,

Yours truly,



Gana Kiritharan.



Equifax Canada Inc.
P.O. Box 190
Station Jean-Talon
Montreal, PQ H1S 2Z2


December 12, 2007

00063
GANA KIRITHARAN
10, STONEHILL COURT #307
SCARBOROUGH ON M1W 2X8

Dear Mr./Ms. Kiritharan:

Thank you for your recent correspondence.

All the information contained in your credit file is considered to be part of your credit history. All of this information is reported, even if the accounts are paid, or settled by other means. The late payments being reported on your accounts were provided to us by your credit grantor. Please forward any documentation you have confirming that these reported late payments are inaccurate and we will investigate accordingly.



Yours truly,

National Consumer Relations

Dated: 9th January 2008

Gana Kiritharan,
307 – 10 StoneHill Court,
Scarborough ON M1W 2X8

Equifax Canada Inc.
Consumer Department,
P.O. Box 190
Station Jean-Talon
Montreal, PQ H1S 2Z2

Dear Consumer Department,

Failure to Investigate Repeated Incidents of Forgery in Equifax Credit Reports.

I, Gana Kiritharan, recently brought to your attention of repeated incidents of Forgery in my Equifax Credit reports. I received a reply dated 12th December 2007 regarding my complaint from your consumer relation department. I feel your reply very unfortunate, irresponsible even irritating. I want you to start proper inquiry regarding my complaint and bring the people committed this crime in front of Canadian Law immediately. This letter shall be considered as formal notification regarding this matter before any civil action against Equifax Canada Inc in Canadian Civil Court.

1. My first complain is some body changed my Credit report with fraudulent intention and reduced the Score Power from 735 to 687. On your reply you say "All the information contained in your credit file is considered to be part of your credit history". How my credit history or personal history is become responsible for this criminal activity into my credit report.
2. My second complaint when I became default there was an activity into my line of credit with TD Canada Trust as follows.

Date	Trans Description	Trans Amount	Balance
09/30/2005	Interest	82.01 DR	11,561.83-
10/19/2005	Interest	49.89 DR	
10/19/2005	Collection Item	11,611.72 CR	
10/19/2005	Close Account	0.00 DR	0.00

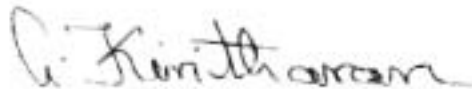
My Line of Credit with TD is being reported as below in Equifax Credit Report.

TDCT TR 16252 last reported to us in 12/05 rating your revolving account as R9, meaning a bad debt, collection account or unable to locate. At that time the reported balance of your account was \$11000. Your account number is xxx...424. This account is in your name only. This account was opened in 05/02. The credit limit or highest amount of credit advance was \$ 11000. Your account is past due in the amount of \$11000. The last payment or transaction made on this account was in 04/05. Additional comments : Personal line of credit. Bad Debt.

I am challenging your reporting of my line of credit with TD Canada Trust is another incident of forgery. Please take my complaint seriously and do the necessary to punish the people who have done to according to Canadian Law.

Thank You,

Yours truly,

A handwritten signature in cursive script, appearing to read "G. Kiritharan".

Gana Kiritharan.



Equifax Canada Inc.
P.O. Box 190
Station Jean-Talon
Montreal, PQ H1S 2Z2

JANUARY 22, 2008

00037
GANA KIRITHARAN
10, STONEHILL COURT #307
SCARBOROUGH ON M1W 2X8

DEAR MR./MS. KIRITHARAN:

THANK YOU FOR YOUR RECENT CORRESPONDENCE. PLEASE NOTE THE FOLLOWING:

THE ISSUE YOU HAVE RAISED HAS BEEN REVIEWED AND INVESTIGATED TO ASSURE THAT THE CONTENT OF YOUR CREDIT FILE IS ACCURATE AND FACTUAL.

FURTHER TO THE LETTER YOU SENT US, WE HAVE CONTACTED

TD CANADA TRUST

TO VERIFY THE ACCURACY OF THE INFORMATION IN QUESTION. WE RECEIVED A RESPONSE AND CONFIRMATION FROM

TD CANADA TRUST

THAT THE INFORMATION THEY HAVE REPORTED TO EQUIFAX IS ACCURATE AND FACTUAL. ACCORDINGLY, NO AMENDMENT WILL BE MADE TO YOUR CREDIT FILE.

A REVISED CREDIT FILE WILL BE SENT TO YOU BY MAIL.

ADDITIONAL INFORMATION:

TD CANADA TRUST TEL: 1-866-485-5354 REGARDING ACCOUNT #1625445742
4.

YOURS TRULY,

NATIONAL CONSUMER RELATIONS

(Short Title of Proceedings)

KIRITHARAN VS TD CANADA TRUST

Court File No:

07 - CV - 341987PD 2

**SUPERIOR COURT OF JUSTICE
-
CIVIL
393 University Ave - 10th Fl
Toronto ON M5G 1E6 .**

Proceeding commenced at Toronto

AFFIDAVIT OF DOCUMENT 8 CIVIL

(Name, Address & Telephone Number of Party)

Gana Kiritharan
307 - 10 StoneHill Court
Scarborough ON M1W 2X8
TEL: 416 - 820 8581