

Couple lost \$1,500 in furniture deal: fraud trial

By **FANNIE SUNSHINE**

The Champion

A woman testified in Burlington court last Friday she received excuse after excuse as to why the furniture she ordered from the Village Pine Shoppe in Campbellville failed to be delivered.

Elizabeth Tomassetti took the stand in the fraud trial of Charles Currie, Oriana Currie and Sheri Duff.

She told the court she and her now ex-husband visited the furniture store in September, 1999 and purchased a bedroom suite.

"We ordered it from Sheri Duff," she said, adding her ex-husband paid the full amount of \$2,990 from their joint VISA account. "I thought it was a little unusual (paying the full amount) but Sheri told us we could pay 10 per cent now but would have to pay the rest by cash upon delivery or the full amount now. We paid the full amount because at that time I didn't foresee a problem (in receiving the furniture)."

Ms Tomassetti testified Ms Duff told her and her ex-husband to expect a delivery date of four weeks, but that it might take up to eight weeks because the furniture was being manufactured by Mennonites and it was harvesting season.

"She (Ms Duff) told me her husband (Mr. Currie) usually deals with the customers and she was just minding the store," she said.

In early November, Ms Tomassetti said, she visited the store to check on her order.

"Both Sheri and Charles Currie were there and Sheri asked him about the status of my order. He said my order was being worked on and wouldn't be much longer. At the end of November, I visited the store again, and Charles Currie advised me the store had received an unusually large amount of orders and my order was added to the back log and should be ready in another few weeks.

I told him I understood but these were new customers, my order was two months old."

In early December, Ms Tomassetti said, she went to the store once again, only to be told by Mr. Currie the workers in charge of staining the furniture had increased the cost and it would take several weeks for the problem to be sorted out.

But a few weeks later, she testified, Mr. Currie told her the order had been temporarily lost and had never been given to the manufacturer.

"I was completely livid," she said.

In January, 2001, the Village Pine Shoppe delivered the bed, but the other items were not received, she said.

Ms Tomassetti continued her testimony in Burlington court Monday. In April, she and her ex-husband decided to cancel the remainder of their order, she told the court.

"Charles Currie said he couldn't refund our money and said the most he could do was sell our furniture and then provide us with the money from the sale. I told him that was completely unacceptable."

At the end of July, after Ms Tomassetti had left numerous phone calls and faxes, she said, she and her ex-husband visited the shop.

"Charles Currie wasn't present on that day, but Oriana was there," Ms Tomassetti said. "My husband showed her the card that had our name on it for the dresser that was sitting in the back of the store. My husband and I removed the dresser from the store ourselves and loaded it into a truck we borrowed from a neighbour. We asked Oriana where our three outstanding pieces were and she said she didn't have any information and it would be ready in two weeks and to come back then. I asked her to put it in writing, which she did."

She said her ex-husband has yet to receive the remaining pieces of furniture, and they're both out of pocket \$1,500.

Defence lawyer Peter McWilliams, representing Ms Currie, pointed out a delivery date wasn't stated on the invoice and the small print on the invoice stated all sales were final and the items weren't subject to cancellation.

Mr. McWilliams suggested Ms Tomassetti and her ex-husband decided to visit the Village Pine Shoppe in late July only after speaking to Halton Regional Police.

"We knew we were going before we spoke to the police," Ms Tomassetti said. "In fact, I was disappointed with the police because they refused to aid me. I was shocked to find out they (Village Pine Shoppe) could continue to run their business. Detective Owen Gray told me not to phone the police for assistance (when attending the shop). In August I learned (the case) was in the hands of the police and I didn't contact (the store) after that."

Charles Currie is charged with eight counts of fraud under \$5,000. Oriana Currie is charged with seven counts of fraud under \$5,000 and Sheri Duff is charged with four counts of fraud under \$5,000.

The three pleaded not guilty in Ontario court (provincial division) in Oakville November 26.

The trial will continue June 14 in Burlington.

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Suspect in court

A Brampton man charged in a hit-and-run accident that killed a cyclist on Tremaine Road, will return to court January 10 after making a brief appearance November 28.

Paul Carroll, 29, charged with dangerous driving causing death and failing to remain at the scene of an accident, appeared in Ontario court (provincial division) in Milton to set a date for trial, but the date was put over until next month.

Mr. Carroll was arrested in August after Etobicoke cyclist Jacek Wierzbicki was struck by a car travelling southbound on Tremaine Road, just north of Derry Road.

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