

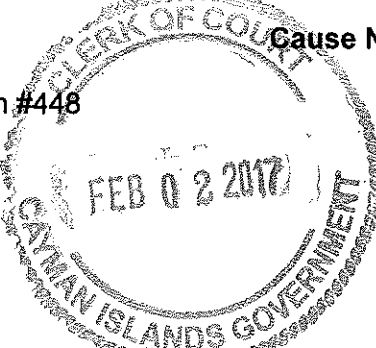

No. 1

Plaint

IN THE SUMMARY COURT AT GEORGE TOWN, GRAND CAYMAN, CAYMAN ISLANDS

BETWEEN: Parkview Courts Strata Corporation #448 Cause No. 21/2017 Plaintiff

AND: Morris Davis Defendant

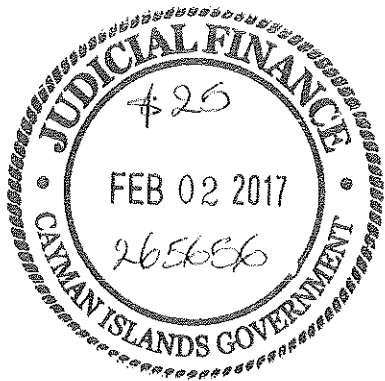


THIS PLAINT has been issued against you by the above – named Plaintiff in respect of the claim set out on the next page.

Within 14 days after service of this Plaintiff on you, counting the day of service you must either satisfy the claim or return to the Court Office, PO Box 495GT, George Town, Grand Cayman, the accompanying Acknowledgment of Service form stating therein whether you intend to contest this action. If you intend to defend the action, in whole or in part, you must set out **full particulars of your defence** in the space provided in the Acknowledgement of Service form.

If you fail to satisfy the claim or fail to return the Acknowledgement of Service form containing full particulars of your defence, the Plaintiff may apply for a **default judgment** without any further notice to you.

Issued this 2nd day of Feb 2017



JUDICIAL FINANCE
\$25
FEB 02 2017
265656
CAYMAN ISLANDS GOVERNMENT

See overleaf for particulars of the Plaintiff's claim PARTICULARS OF CLAIM

PARTICULARS OF CLAIM

(Here set out in numbered paragraphs the grounds upon which the Plaintiff claims that the Defendant is indebted to him or is liable to pay damages to him).

1. Lot owner Mr. Morris Davis of unit #25 is in arrears of strata contributions amounting \$10,700.00;
2. On February 18, 2016 an email was sent to Mr. Davis requesting a meeting with the Strata Board to discuss his strata arrears; Mr. Morris did not attend the meeting;
3. On February 19th, 2016 Mr. Davis attacked me in the parking lot of my workplace complaining about the email I sent, saying it was rather disrespectful because he voted for me to be President and I have no right to be asking him to pay strata fee. I told him to address the matter in writing.
4. On The same day of February 19, 2016 Mr. Davis sent an email apologizing for not attending the meeting. In his email he stated that he is aware that he has owed strata fees and that he was requesting a copy of his statement. The treasurer was immediately contacted and Mr. Davis was provided with his statement. It was confirmed that at the time Mr. Morris was owing \$11,500.00 to the Strata Corporation as noted in my email February 18, 2016;
5. Since February 19, 2016 several emails have been sent to Mr. Davis regarding his arrears, which was completely ignored;
6. On September 5, 2016 an email drafted in a letter format was sent to Mr. Davis advising him to make arrangement with the Strata Board to settle the amount owing to the Strata Corporation, again he did not respond;
7. On September 12, 2016 Mr. Davis approached me in the parking lot of my home, he disgruntledly stated that he is continuously paying

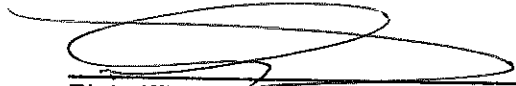
strata fees and that I must not contact him anymore regarding strata payment. I advise Mr. Davis that he needs to settle his arrears with the Strata Corporation otherwise I have no choice but to take the matter to court, he said that I couldn't do it.

Since September 12, 2016 there have been a lot of chaos with Mr. Davis, he have been harassing me and my quests passing rude remarks and constantly stating that he voted for me and that he will not be paying any strata fees. His outlandish outburst has caused disruption within the complex.

8. *On December 28, 2016 an email was sent to owners within Parkview Courts #448 which serves as a reminder for delinquent owners to settle their strata arrears. Mr. Davis still made no effort to settle.*
9. *Mr. Davis continues to enjoy the facilities of Parkview Courts #448 and reaping the same benefits of strata paying owners. To date he has made no effort in paying his arrears while the strata bears the burden of paying his property insurance and maintenance of his property;*
10. *According to the Strata by-laws on owner have within 14 days of demand to settle payment with the Strata Corporation;*
11. *The Strata Corporation records that \$10,700.00 is currently owed by Mr. Davis and no satisfactory arrangements with Strata Corporation is being made to the date of claim;*
12. *Mr. Davis unit therefore reflects \$10, 700.00 outstanding, nothing is being done about this and it remains unpaid.*
13. *The Strata Corporation is hereby claiming the sum of \$15,700.00 together with legal fees and interest accrued;*
14. *The Defendant is over two years in arrears and is in breach of the Strata By-Laws. The Defendant is a working professional/business owner and can more than afford to pay his strata fees.*

AND the Plaintiff claims:

- (1) The sum of \$14,000.00
- (2) Interest in the sum of \$ _____ calculated at the prescribed rate from to date.
- (3) Interest to continue until this matter is settled.
- (4) Fixed costs of \$150, or alternatively costs to be assessed.



Plaintiff's Signature

Plaintiff's address for service

95 Godfrey Nixon Way
Unit #13, George Town, Grand Cayman services.unix@yaho.com
P.O. Box 1661, KY1-1504 947-8565 Alan Lena McJannet.

IN THE SUMMARY COURT AT GEORGE TOWN, GRAND CAYMAN, CAYMAN ISLANDS

CAUSE NO.

BETWEEN: Parkview Courts Strata #448

Plaintiff

AND: Morris Davis

Defendant

ACKNOWLEDGEMENT OF SERVICE

1 State Defendant's name and address -

2 State whether the Defendant intends to contest the action.

Yes

No

3 If you do not intend to contest the action, do you want time in which to pay the claim?

Yes

No

4 If you do intend to contest the action, in whole or in part, you must set out full particulars of your defence overleaf.

Service of the Plaintiff is acknowledged accordingly.

Defendant's Signature

DATED this _____ day of _____, 20_____

See Overleaf

PARTICULARS OF DEFENCE

(Here set out in numbered paragraphs the grounds upon which the Defendant says that he is not liable to the Plaintiff, or is not liable for the full amount claimed)

Defendant's Signature

REMINDER - This form must be taken or sent to the Court Office, PO Box 495, Grand Cayman KY1-1106 Cayman Islands within 14 days of receipt otherwise a default Judgment may be entered against you.