

No. 8

NOTICE OF APPEAL

IN THE GRAND COURT OF THE CAYMAN ISLANDS

ON APPEAL FROM THE SUMMARY COURT

Grand Court Cause No. 343 of 2013

Cause No. SC37 of 2013

BETWEEN

1. SAOIRSE HOLDINGS LIMITED, TRADING AS THE BRICK HOUSE

2. HARRY LALLI

APPELLANTS

AND

3. PROGRESSIVE DISTRIBUTORS LTD.

RESPONDENT



NOTICE OF APPEAL

TAKE NOTICE that I Harry Lalli intend to appeal against the order of of the Summary Court made on 16 August 2013, filed on 21 August 2013 and served on me on 23 September 2013.

The grounds of my appeal are as follows:

1. That the appeal was filed on 16 August 2013 but I did not receive a copy of it until 23 September 2013. The Respondent appears to have received a copy of it by at least 4 September but did not provide me with a copy of it until 23 September 2013 when it was served on the registered office of the Saoirse Holding Limited
2. That the Respondents failed to provide the Appellants with documents and in particular a Credit Agreement referred to in its pleadings at paragraph 4 notwithstanding a request made in its Defence for disclosure and further only provided the Appellants with a bundle of documents at court after the hearing of the case.
3. That the Appellants were not permitted legal representation and/or a fair hearing even though it sought an adjournment having learnt of the documents in the possession of the Respondent.
4. That Harry Lalli does not owe the sum Ordered by the Learned Magistrate and in accordance with the Credit Agreement.
5. The Court heard no evidence from the Appellants as to what sum of money was owed and thus could not have found as she did.


This Notice of Appeal was filed by Chambers on behalf of the Appellants.