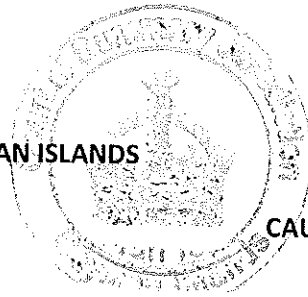
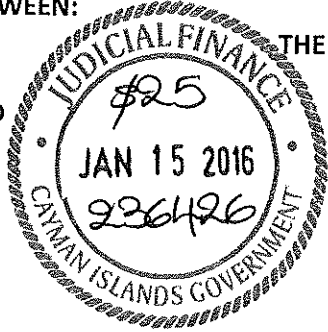


IN THE SUMMARY COURT OF THE CAYMAN ISLANDS



CAUSE NO. SC 0009 OF 2016

BETWEEN:



THE PROPRIETORS, STRATA PLAN No. 34

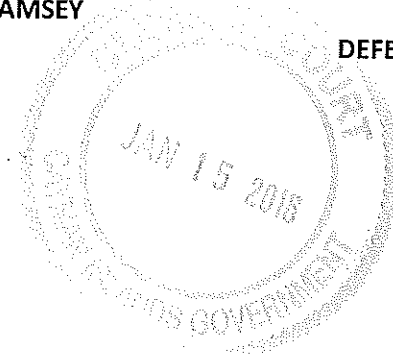
PLAINTIFF

AND

FITZROY ANTHONY RAMSEY

DEFENDANT

PLAINT



TO:

Fitzroy Ramsey
Apt #7 Tropical Manor

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 *Plaint* on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495, 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 *Acknowledgment of Service* form.

IF YOU FAIL to satisfy the claim or fail to return the *Acknowledgment 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 14th of January, 2016

See overleaf for particulars of the Plaintiff's claim.

PARTICULARS OF CLAIM

1. The Defendant is the registered proprietor of property at Registration Section Prospect, Block and Parcel 22E 131H7. The property is situated in a residential development in Prospect, Grand Cayman known as Tropical Manor and is contained within Strata Plan No. 34.
2. The Plaintiff is a body corporate consisting of a collection of all the Strata Proprietors contained within Strata Plan No.34 in accordance with Section 5(1) of the Strata Titles Registration Law (hereinafter 'the Law').
3. In accordance with its duties and powers under Section 6(2) of the Law the Plaintiff;
 - (a) Has to establish a fund for administrative expenses sufficient in the opinion of the Plaintiff for the control, management and administration of the common property, for the payment of any premiums of insurance and for the discharge of any of its other obligations.
 - (b) Is empowered to determine, from time to time, the amounts to be raised for the fund for administrative expenses and to raise such amounts by levying contributions on the proprietors in proportion to their unit entitlement.
4. The plaintiff exercised such powers by both establishing a fund for administrative expenses and by determining from time to time the amounts to be raised for the fund for administrative expenses.
5. The amounts to be raised for administrative expenses were determined by way of resolutions of the Executive Committee of the plaintiff and approval of such resolutions were given at the Annual General Meeting of the plaintiff.
6. Subject to the Law, the control, management, administration, use and enjoyment of the Strata lots and the common property contained in every registered strata plan shall be regulated by bye-laws.
7. Pursuant to the Plaintiff's registered Bye-Law 34(3) it is the Defendant's obligation to pay to the Plaintiff all contributions levied by the Plaintiff pursuant to Section 6(2) of the Law within 14 days of demand. An itemised breakdown of the sums invoiced to and paid by the Defendant is annexed to these Particulars of Claim.
8. The Defendant has failed to honour his obligation to make such payments within 14 days of demand.
9. By-law 34(3)(a) of the Strata By-Laws allows the plaintiff to charge interest at the rate of 2% per annum above the prime lending rate for commercial banks in the Cayman Islands at the time of default which such interest shall accrue from day to day until payment.

10. As of the 1st January 2016 the Defendant is in arrears in the amount of CI\$6,599.21 and the Plaintiff claims the said sum of CI\$6,599.21 as monies due and owing of foot of the Defendant's breach of contract, that contract being the Strata Bye-Laws which exist and are legally enforceable as between the Plaintiff and Defendant pursuant to Section 21 of the Strata Titles Registration Law as revised.
11. The plaintiff claims interest on the said sum owing.

STATEMENT REGARDING INTEREST

- a) The Plaintiff seeks pre and post judgment interest from the date of issue of the Plaintiff in accordance with the provisions of the Bye-Laws or in the alternative in accordance with the Judicature Law (2013 Revision) and the Judgment Debt (Rates of Interest) Rules as amended from time to time.
- b) The interest rate claimed as per the bye-laws is 12% per annum.
- c) In the alternative the interest rate as per the Judgment Debt (Rates of Interest) Rules is 2 3/8% per annum.
- d) Interest is claimed from the 1st January 2016.
- e) The amount of interest owing at the date of issue of this Plaintiff is \$30.37.
- f) The amount of interest accruing each day following issue of this Plaintiff is CI\$2.17.

AND THE PLAINTIFF CLAIMS:

- (i) The said sum of CI\$6,599.21
- (ii) Pre and post judgment Interest on the said sum of CI\$6,599.21 in accordance with the Strata bye-Laws and the Judicature Law (2013 Revision) and the Judgment Debt (Rates of Interest) Rules as amended from time to time.
- (ii) Costs to be taxed or agreed or alternatively fixed costs in the sum of CI\$150.00 plus filing fees and bailiff's fee for service.

If within the time for returning Acknowledgement of Service the Defendant pays to the Plaintiff's Attorneys-at-Law the total amount claimed of CI\$6,599.21 (together with interest and costs of CI\$150) all further proceedings will be stayed.

Dated this 15th day of January, 2016

Samson & McGrath

SAMSON & MCGRATH
Attorneys-at-Law for the Plaintiff

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

CAUSE NO. SC OF 2016

BETWEEN:

THE PROPRIETORS, STRATA PLAN No. 34

PLAINTIFF

AND

FITZROY ANTHONY RAMSEY

DEFENDANT

ACKNOWLEDGMENT 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 defense overleaf.

Service of the Plaint is acknowledged accordingly.

Defendant's Signature

Dated this day of , 2016

See Overleaf

PARTICULARS OF DEFENCE

(Here set out in numbered paragraph 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 Courts Office, PO Box 495, George Town, Grand Cayman within 14 days of receipt otherwise a default judgment may be entered against you.

Tropical Manor Strata Corporation

% Estate Management Services Ltd

P.O. Box 30082

Grand Cayman

ems@candw.ky

(345) 916 2084

Statement

Bill To

Fitzroy Ramsey

Date	Amount Due
01/01/16	\$6,599.21

Date	Description	Amount	Balance
12/31/14	Balance forward		7,098.50
01/01/15	INV #1652	515.00	7,613.50
	- Strata Fees		
	--- Maintenance Fee, 1 @ \$240.00 = 240.00		
	--- Property Insurance, 1 @ \$275.00 = 275.00		
01/07/15	INV #1657	700.00	8,313.50
	- Debt Management Fee		
	--- Debt Management \$700.00		
01/08/15	PMT - Payment on Arrears - Ramsey	-4,000.00	4,313.50
01/28/15	INV #1658	100.00	4,413.50
	- Promissory Note		
	--- Debt Management, 1 @ \$100.00 = 100.00		
02/01/15	INV #1671	515.00	4,928.50
	- Strata Fees		
	--- Maintenance Fee, 1 @ \$240.00 = 240.00		
	--- Property Insurance, 1 @ \$275.00 = 275.00		
02/02/15	INV #1641B	190.00	5,118.50
	- Legal Fees		
	--- Attorney Fees, 1 @ \$190.00 = 190.00		
02/03/15	PMT - Payment S Hahakkara for F Ramsey	-650.00	4,468.50
03/01/15	INV #1654B	474.61	4,943.11
	- Strata Fees		

Current	1-30 Days Past Due	31-60 Days Past Due	61-90 Days Past Due	OVER 90 Days Past Due	Amount Due
\$474.61	\$0.00	\$474.61	\$474.61	\$5,175.38	\$6,599.21

Tropical Manor Strata Corporation

% Estate Management Services Ltd

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Grand Cayman

ems@candw.ky

(345) 916 2084

Statement

Bill To

Fitzroy Ramsey

Date	Amount Due
01/01/16	\$6,599.21

Date	Description	Amount	Balance
03/24/15	INV #1654B - Strata Fees PMT - Fitzroy Ramsey	-1,030.00	3,913.11
04/01/15	INV #1670B - Strata Fees --- Maintenance Fee, 1 @ \$240.00 = 240.00 --- Property Insurance, 1 @ \$234.61 = 234.61	474.61	4,387.72
05/01/15	INV #1687B - Strata Fees --- Maintenance Fee, 1 @ \$240.00 = 240.00 --- Property Insurance, 1 @ \$234.61 = 234.61	474.61	4,862.33
05/28/15	PMT - Strata Fees - Ramsay	-515.00	4,347.33
06/01/15	INV #1704B - Strata Fees --- Maintenance Fee, 1 @ \$240.00 = 240.00 --- Property Insurance, 1 @ \$234.61 = 234.61	474.61	4,821.94
06/23/15	PMT - Strata Fees - Ramsey	-515.00	4,306.94
07/01/15	INV #1721B - Strata Fees --- Maintenance Fee, 1 @ \$240.00 = 240.00 --- Property Insurance, 1 @ \$234.61 = 234.61	474.61	4,781.55
07/24/15	PMT - Strata Fees - Ramsey	-515.00	4,266.55

Current	1-30 Days Past Due	31-60 Days Past Due	61-90 Days Past Due	OVER 90 Days Past Due	Amount Due
\$474.61	\$0.00	\$474.61	\$474.61	\$5,175.38	\$6,599.21

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Statement

Bill To

Fitzroy Ramsey

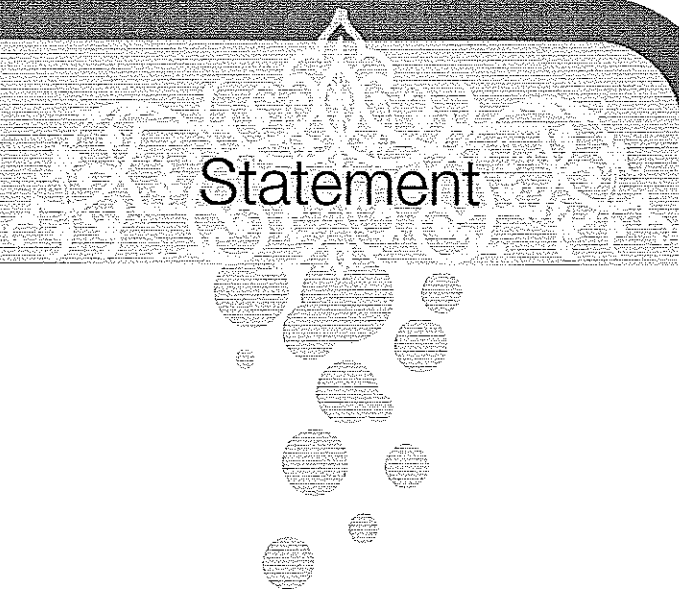
Date	Amount Due
01/01/16	\$6,599.21

Date	Description	Amount	Balance
08/01/15	INV #1738B - Strata Fees --- Maintenance Fee, 1 @ \$240.00 = 240.00 --- Property Insurance, 1 @ \$234.61 = 234.61	474.61	4,741.16
08/25/15	PMT - Payment - F Ramsey	-515.00	4,226.16
09/01/15	INV #1755B - Strata Fees --- Maintenance Fee, 1 @ \$240.00 = 240.00 --- Property Insurance, 1 @ \$234.61 = 234.61	474.61	4,700.77
10/01/15	INV #1772B - Strata Fees --- Maintenance Fee, 1 @ \$240.00 = 240.00 --- Property Insurance, 1 @ \$234.61 = 234.61	474.61	5,175.38
11/01/15	INV #1788B - Strata Fees --- Maintenance Fee, 1 @ \$240.00 = 240.00 --- Property Insurance, 1 @ \$234.61 = 234.61	474.61	5,649.99
12/01/15	INV #1808B - Strata Fees --- Maintenance Fee, 1 @ \$240.00 = 240.00 --- Property Insurance, 1 @ \$234.61 = 234.61	474.61	6,124.60
01/01/16	INV #1814B	474.61	6,599.21

Current	1-30 Days Past Due	31-60 Days Past Due	61-90 Days Past Due	OVER 90 Days Past Due	Amount Due
\$474.61	\$0.00	\$474.61	\$474.61	\$5,175.38	\$6,599.21

Tropical Manor Strata Corporation

% Estate Management Services Ltd
 P.O. Box 30082
 Grand Cayman
 ems@candw.ky
 (345) 916 2084



Bill To

 Fitzroy Ramsey

Date	Amount Due
01/01/16	\$6,599.21

Date	Description	Amount	Balance
	INV #1814B		

Current	1-30 Days Past Due	31-60 Days Past Due	61-90 Days Past Due	OVER 90 Days Past Due	Amount Due
\$474.61	\$0.00	\$474.61	\$474.61	\$5,175.38	\$6,599.21