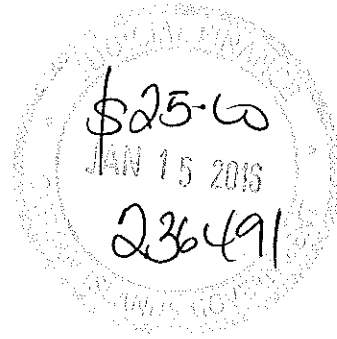


No. 1
Plaint



IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 0011 of 2016

BETWEEN:

CAROL E SWABY

Plaintiff

AND:

Simone Smith JARRETT
917 5332



Defendant

To the 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 day of 20

See overleaf for particulars of the Plaintiff's claim

Carol Swaby - 926-2113 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)

I Rented her a one bedroom 1 bathroom on the 15th of August 2015 light & water included, at 25 Kimera way she left to Jamaica without paying her rent, when she returned she informed me that I will get my rent she gave me a check, it was not done, she owed two months total of \$1,100.00, she left on the 30th of November and this was the note she left on the bed that she will pay me, I got a lawyer to write AND the Plaintiff claims: her upon writing until now she dont, only to get a TEXT that she borrow a no luck. All I request that she pay all that is needed to pay, I made no reply. include lawyer & interest.

- 1 The sum of \$1,100.00.
- 2 Interest in the sum of \$ _____ calculated at the prescribed rate from to date.
- 3 Fixed costs of \$150.00, alternatively costs to be assessed.

C Swaby
Plaintiff's Signature

Plaintiff's address for service

25 KIMERA WAY
NORTH SOUND GARDEN
BODDEN TOWN

No. 2

Acknowledgment of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC _____ of 20__

Between:

CAROL E Swaby

Plaintiff

AND:

Simone SMITH JARRETT

Defendant

ACKNOWLEDGMENT OF SERVICE

1 State Defendant's name and address -

[Empty box for 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 495GT, George Town, Grand Cayman within 14 days of receipt otherwise a default judgment may be entered against you.

RICHARD H. BARTON

ATTORNEY-AT-LAW

Simone Smith
1-345-917-5332
George Town
Grand Cayman
Cayman Islands

By: Process Server
3 December 2015

Dear Ms Smith,

Re: Demand Letter

We represent Carol Swaby who instructs us to demand outstanding rent in the amount of CI\$1,100.00 that is owed to her for the past two months (the "Arrears"). It is also our understanding that you agreed to settle the Arrears before moving out of the rental property (the "Premises") on 30 November 2015. Notwithstanding repeated request for payment, our client has yet to receive the outstanding Arrears.

We hereby demand that you settle the outstanding balance forthwith along with CI\$350 that our client has incurred by way of legal fees in connection with this letter ("Costs"). Our demand for immediate payment herein is strictly non-negotiable and our client reserves her rights entirely.

Note that your failure to comply with our client's demand for payment by 3pm 10 December 2015 will result in formal proceedings being commenced against you without further notice for the recovery of the Arrears in addition to costs.

We recommend that you discuss the contents of this letter with a qualified attorney and seek legal advice.

Yours sincerely,



Richard H. Barton
Attorney-at-Law

Nov 30, 2015

Dear Ms. Carl Swaby

I Simone Smith-Jarrett hereby writes this letter to inform you that I'm experiencing major financial strains and I'm not able to uphold none of our agreement, even today Monday 30th of November I wasn't able to get not even half of the outstanding rent that I owe in really facing some hard times and I don't want to be a bother anymore to you thank you very much.

Therefore I write this promise letter to pay ~~my~~ my rental debts of \$1100 in two part payments 1st payment on the 30th of December and next payment on the 30th of January. I'm very sorry but right now I'm having a very hard time so I'm going to stay with my cousin for now in George Town. you may contact me at 917-5332 at any time.

Thanks alot and I'm very sorry

Kind Regards

Simone Smith Jarrett [Smith Jarrett]

Nov 30, 2015

Dear Ms. Carl Swaby

I Simone Smith-Jarrett hereby write this letter to inform you that I'm experiencing major financial strains and I'm not able to uphold none of our agreement, even today Monday 30th of November I wasn't able to get not even half of the outstanding rent that I owe in really facing some hard times and I don't want to be a bother anymore to you thank you very much.

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Thank a lot and I'm very sorry

Kind Regards

Simone Smith Jarrett [Smith Jarrett]

Landlord Carol Swaby
Address 25 Kimeria way
Saranon

She Move in my apt at 25 Kimeria
way on the 15 of August she live those
Time without paying light & water or
rent as I was helping her as she said
She will start her rent at the 1st of
months. She keep giving me on a
ground

Letter
Saranon

I rented her my apt 1 bedroom,
1 bathroom light & water included
She left to Jamaica without paying
her rent she now owed me two
months Oct and Nov she moved
out on the 30 of Nov no money
and this is the note she left on
the bed with two house keys
I would like to get my rent
in full a total of \$100
I informed her if she refuse to
pay she I will then take further
action. I will not wait until next year
to collect as I owed the bank