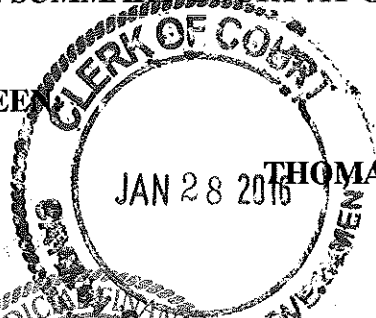


IN THE SUMMARY COURT AT GEORGE TOWN

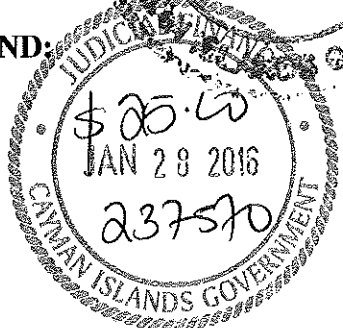
Cause No: SC 0023 of 2016

BETWEEN



THOMAS SEBASTIAO CARDOZO

AND:



HOWARD EMMANUEL NELSON



Plaintiff

First Defendant

DRA INVESTMENTS LTD

Second Defendant

PLAINT

To The Defendant

Howard Emmanuel Nelson
31 Omega Dr.,
George Town,
Grand Cayman.
DRA Investment Ltd
Alista Towers
George Town
Grand Cayman

THIS PLAINT has been issued against you by the above-named Plaintiff in respect of the claim set out 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, PO Box 495 GT, George Town, Grand Cayman, the accompanying Acknowledgement 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 28 day of Jan 2016

See overleaf for particulars of the Plaintiff's claim

STATEMENT OF CLAIM

1. The First Defendant was at all material times the Driver of the Toyota motor truck Registration No. 107875.
2. The Second Defendant was at all material times the employer of the First Defendant and the owner of the Toyota motor truck Registration No. 107875 driven by the First Defendant.
3. On or about 3 April 2015, the Plaintiff was driving his Toyota Carina motor car Registration No. 114392 along the Theresa Drive at Windsor Park, Grand Cayman when the First Defendant the Servant or agent of the Second Defendant so negligently drove managed and controlled the said Toyota Tundra motor truck as it was moving along the said Theresa Drive Violently Collided with the Plaintiff's said Toyota Carina motor Car in consequence whereof the said Toyota Carina motor Car sustained damage and the Plaintiff suffered loss and damage.
4. After the said collision by the First Defendant driving the said Toyota Tundra motor truck unlawfully left the Scene of the accident before the Royal Cayman Islands Police (RCIP) who were called to the scene of the Accident arrived to investigate the cause of the said accident.

Particulars of Negligence

- a) driving at a speed which was too fast in the circumstances;
 - b) failing to heed the presence of the Plaintiff's Motor Car on the Road;
 - c) failing to stop, to slow down , to swerve or in any other way so to manage or control his said motor truck as to avoid colliding with the Plaintiff's motor car;
 - d) failing to see the Plaintiff's motor car in sufficient time to avoid colliding with the said motor car.
5. By Reason of the matters aforesaid, the Plaintiff's motor car sustained damage and the Plaintiff suffered loss.

Particulars of Damage

- a) damage to front Bumper;
- b) damage to front Right lights and Park lights;

- c) damage to Right front fender;
- d) damage to right Apron, right inner, tie rod, and right outer tie rod.

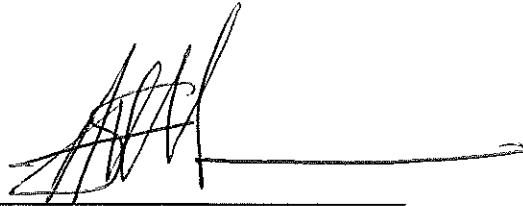
Particulars of Loss

- a) Two estimates from reputable motor vehicle repair body shops estimate the cost to repair the said motor car to be between the sum of CI\$ 2, 355:00 and the sum of CI\$ 2, 620:54.

AND The Plaintiff Claims:

1. The lesser estimate repair Sum of CI\$ 2,355:00
2. Court Cost CI\$ 25:00
3. Service fees of CI\$ 150:00
4. Cost
5. Interest on the Judgment Sum from the day of Judgment until payment pursuant to statute.

Dated this 26 day of January 2016



**A Steve McField & Associates
Attorneys-at-Law for the Plaintiff**

To: The Clerk of The Court

And to: The Defendants

THIS PLAINT was filed by **A. STEVE MCFIELD & ASSOCIATES**, Attorneys-at-Law for and on behalf of the Plaintiff whose address for service is that of their said Attorneys P.O. Box 680 GT, Grand Cayman, Cayman Islands.

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No: SC

of 2016

BETWEEN:

THOMAS SEBASTIAO CARDOZO

Plaintiff

AND:

HOWARD EMMANUEL NELSON

First Defendant

DRA INVESTMENTS LTD

Second Defendant

ACKNOWLEDGEMENT OF SERVICE

1. State Defendant's name and address

**Howard Emmanuel Nelson
DRA Investment Ltd
George Town
Grand Cayman**

2. State whether the Defendants intends to contest the action.

Yes

No

3. If you do not intend to contest the action, in whole or in part, you must set out full particulars of your defence overleaf.

Yes

No

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

Service of the Plaintiff is acknowledged accordingly.

.....
Defendant's Signature

Dated this 28 **day of** Jan **2016**

See Overleaf

PARTICULARS OF DEFENCE

(Here set out in numbered paragraphs the grounds upon which the Defendants says that they are not liable to the Plaintiff, or are 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 GT, George Town, Grand Cayman within 14 days of receipt otherwise a Default Judgment may be entered against you.