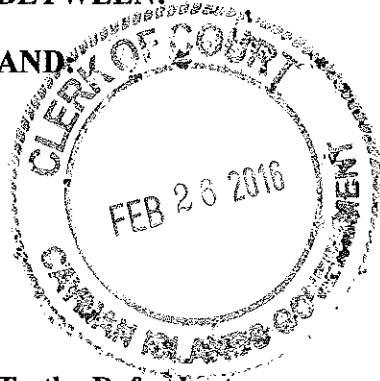


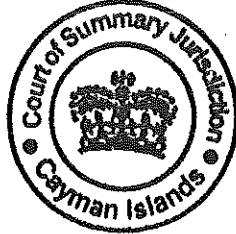
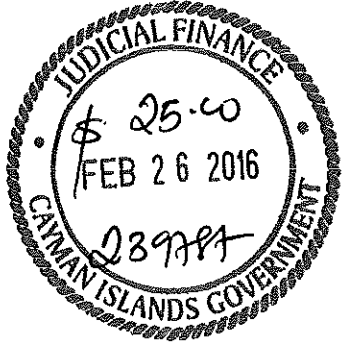
IN THE SUMMARY COURT AT GEORGE TOWN

CAUSE NO. SC ⁰⁰⁴³ OF 2016

BETWEEN: ERCLEY COBURN BODDEN PLAINTIFF
AND: TRAVIS ARLINGTON EBANKS DEFENDANT



PLAINT



To the Defendant:
Northward Prison
Grand Cayman, Cayman Islands

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 KY1-1106, the accompanying Acknowledgement of Service form stating therein whether you intend to contest this action. If you intend to defend this 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 26th day of February 2016.

See overleaf for particulars of the Plaintiff's claim.

PARTICULARS OF CLAIM

The grounds upon which the Plaintiff claims that the Defendant needs to compensate the Plaintiff for causing damage to property at 62 Martin Drive, George Town, Grand Cayman (the "Property") and to be restrained from trespassing onto the premises of the yard and/or the dwelling house at the Property, also being identified as Cayman Islands registered parcel 14CJ39 in the George Town Central registration section, from tortious damage to any property at the Property and/or from harming and/or harassing the Plaintiff and/or any of the lawful residents for the time being of the Property are as follows:

1. The Plaintiff, who is the sole registered proprietor of the Property, personally delivered to the Defendant a Notice to Vacate dated 26 November 2013 whereby the Plaintiff's permission for the Defendant to reside at the Property was withdrawn and the Defendant was notified that thereafter he would be viewed as a trespasser on the Property.
2. Notwithstanding such Notice to Vacate, the Defendant continued to enter (and from time to time reside at) the Property as a trespasser and to disturb the peace of other persons lawfully residing at the Property with the current permission of the Plaintiff.
3. This resulted in many unpleasant incidents, two of which involved the Police being called to the Property and the Defendant being arrested on 13 February 2016 for damage to property and for disorderly conduct.
4. On or about 13 February 2016, the Defendant angrily put his fist through a sheetrock wall above a water cooler at the Property and also smashed plates and cups at the Property.

AND the Plaintiff claims:

1. An *ex parte* interim injunction and a final injunction and/or restraining order against the Defendant forbidding him (unless and until otherwise ordered by this Honourable Court) (a) from entering the Property for any reason and/or (b) from threatening, assaulting, damaging, harassing and/or otherwise harming the person of (or any property belonging to) the Plaintiff and/or any of the persons who are for the time being residing at the Property lawfully with the Plaintiff's current permission.
2. CI\$190.00 as the cost of repairing damage to the Property (namely, the sheetrock through which the Defendant put his fist) and of replacing the plates and cups that he smashed.
3. Fixed costs of CI\$150.00 plus CI\$25.00 for the filing fee; or, alternatively, costs to be assessed by the presiding Magistrate and/or at the Court's discretion in accordance with section 33 of the Summary Jurisdiction Law (2006 Revision); and
4. Any further order and/or other relief as this Honourable Court may deem appropriate, just and/or equitable.

Dated this 26th day of February 2016.



Orren Merren & Company
Attorneys-at-Law for the Plaintiff

This Plaintiff was issued by Orren Merren & Company, Attorneys-at-Law for the Plaintiff, whose address for service is 15 Simmons Way, George Town, P.O. Box 481, Grand Cayman KY1-1106, Cayman Islands.

PARTICULARS OF DEFENCE

(Here set out in numbered paragraphs the grounds upon which the Defendant says that it 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, George Town, Grand Cayman KY1-1106 within 14 days of receipt. otherwise a default judgment may be entered against you.

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF PLAINT

1. The accompanying form of Acknowledgment of Service should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person.

After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a Defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is endorsed on the Plaint (i.e. the words "Particulars of "Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Plaint, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Plaint, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve its Defence within the appropriate time, the Plaintiff may enter judgment against it without further notice.

3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

See over for notes for guidance

Please complete overleaf

Notes for Guidance

1. Each Defendant (if there is more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 14 days for acknowledging service, a plaint served on the Defendant personally is treated as having been served on the day it was delivered to him.
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Plaintiff)".
4. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "Partner in the firm of (.....)" after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.