

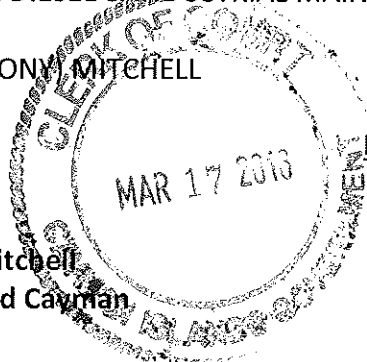
IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

CIVIL DIVISION

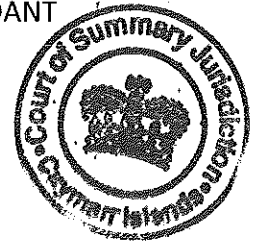
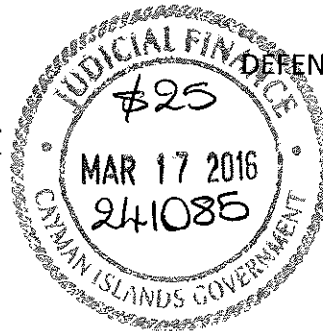
CAUSE NO. SC 0066 OF 2016

BETWEEN: MARINE DIESEL & INDUSTRIAL MAINTAINENCE CO. LTD. PLAINTIFF

AND: RAYMOND (TONY) MITCHELL DEFENDANT



PLAINT



To The Defendant:
Raymond (Tony) Mitchell
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 defense** 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 defense, the Plaintiff may apply for a **default judgment** without any further notice to you.

Issued this *17th* day of *March* 2016

See overleaf for particulars of the Plaintiff's claim


THIS PLAINT was filed by Mr. O.W. Billy Farrington of Marine Diesel & Industrial Maintenance Co. Ltd., whose address is PO Box 30357, Grand Cayman, Cayman Islands KY1-1202.

PARTICULARS OF CLAIM

1. The Respondent engaged the Plaintiff to make all necessary engine repairs per quotation #196 dated April 3, 2014.
2. The Plaintiff further analyzed the engine discovered that both engines connecting rods were bent, as a result both engines required overhauling.
3. The Plaintiff then issued to the Respondent quote number 203 dated May 14, 2014 This additional quotation was approved by the Respondent to make it "purr like a kitten."
4. The Plaintiff upon completion of rebuilding the two cylinder heads related to quote #196, issued invoice number 2706 dated May 14, 2014 in the amount of CI\$6,634.60 was issued to the Respondent sent via e-mail
5. The Plaintiff upon completion of starboard engine rebuild, invoice number 2801 dated July 1, 2014 in the amount of CI\$7,097.01 was issued to the Respondent sent via e-mail.
6. The Plaintiff upon completion of port engine rebuild, invoice number 2867 dated August 25, 2014 in the amount of CI\$7,827.38 was issued to the Respondent sent via e-mail.
7. The Plaintiff acknowledges receipt of payments totaling CI\$11,013.63; to which the last payment was received on June 29, 2015 in the amount of CI\$100.00.
8. The Plaintiff acknowledges that no further attempts to recover outstanding debt have been successful; notwithstanding the many phone calls and e-mails.
9. By reason of the said breach the Plaintiff has suffered a substantial financial loss and this has placed the Plaintiff in an unnecessary financial position.

And The Plaintiff Claims Against The Defendant:

1. The balance on account of CI\$10,957.30
2. Filing and Bailiff Fees.



Signed: O. W. (Billy) Farrington, Managing Director, Marine Diesel & Industrial Maintenance Co. Ltd.

To: The Defendant
George Town,
Grand Cayman

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CIVIL DIVISION

CAUSE NO. SC 0066 OF 2016

BETWEEN: MARINE DIESEL & INDUSTRIAL MAINTENANCE CO. LTD.

PLAINTIFF

AND: RAYMOND (TONY) MITCHELL

DEFENDANT

ACKNOWLEDGEMENT OF SERVICE

1. State Defendants name and address
Raymond (Tony) Mitchell
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.

.....
Defendants Signature

Dated this **day of** **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)

.....
Defendants 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.