

No. 1

Plaint

IN THE SUMMARY COURT AT GEORGE TOWN, GRAND CAYMAN, CAYMAN ISLANDS

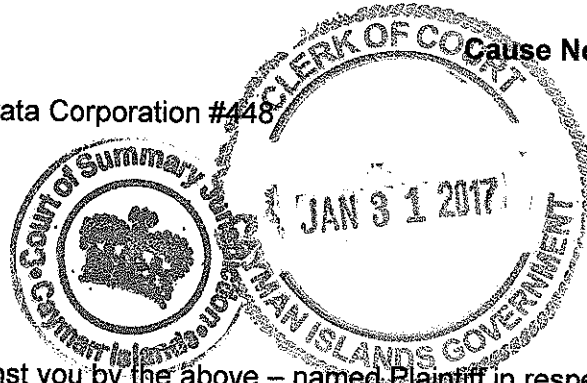
BETWEEN: Parkview Courts Strata Corporation #448

Cause No. 18/2017

Plaintiff

AND: Lorne Huxtable

Defendant

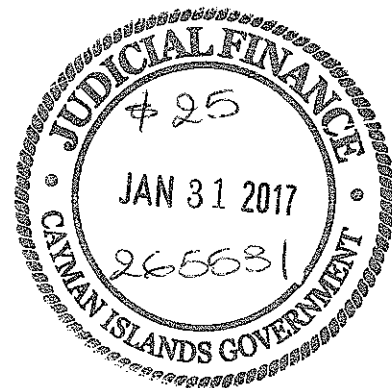


THIS PLAINT has been issued against you by the above – named Plaintiff in respect of the claim set out on the next page.

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 3rd day of Jan 2017



See overleaf for particulars of the Plaintiff's claim PARTICULARS OF CLAIM

PARTICULARS OF CLAIM

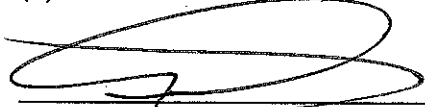
(Here set out in numbered paragraphs the grounds upon which the Plaintiff claims that the Defendant is indebted to him or is liable to pay damages to him).

1. Lot owner Mr. Lorne Huxtable of unit #14 is in arrears of strata contributions amounting \$9,655.00;
2. Prior to an email dated December 28, 2016 which was sent to owners within Parkview Courts #448 that serves as a reminder for delinquent owners to settle their strata arrears. Mr. Huxtable was given several notices to settle his strata arrears with the Strata Corporation; which was completely ignored;
3. On Monday, March 7, 2016 an email was sent to Mr. Huxtable requesting a meeting with him regarding his outstanding strata fees. In the meeting Mr. Huxtable agreed to clear up the outstanding fees by paying in installments, so far the agreement was not honored and no payments was made towards the outstanding amount of \$9,655.00;
4. On December 6, 2016 a 3rd notice was sent to Mr. Huxtable reminding him of his outstanding amount owing to the Strata Corporation; in the email an option was given to Mr. Huxtable to settle the amount of \$9,655.00 in part or full. Mr. Huxtable stated that when his property is sold he will clear of the balance;
5. Mr. Huxtable continues to enjoy the facilities of Parkview Courts #448 and reaping the same benefits of strata paying owners. To date he has made no effort in paying his arrears while the strata bears the burden of paying his property insurance and maintenance of his property;
6. According to the Strata by-laws Mr. Huxtable have within 14 days of demand to settle payment with the Strata Corporation;
7. The Strata Corporation records that \$9,65500.00 is owed by Mr. Huxtable and no satisfactory arrangements with Strata Corporation has been made to the date of claim;

8. *Ms. Huxtable unit therefore reflects \$9, 65500.00 outstanding, nothing is being done about this and it remains unpaid.*
9. *The Strata Corporation is hereby claiming the sum of \$14,000.00 together with legal fees and interest accrued;*
10. *The Defendant is two years in arrears and is in breach of the Strata By-Laws. The Defendant is a working professional and can more than afford to pay his strata fees.*

AND the Plaintiff claims:

- (1) The sum of \$14,000.00
- (2) Interest in the sum of \$ _____ calculated at the prescribed rate from to date.
- (3) Interest to continue until this matter is settled.
- (4) Fixed costs of \$150, or alternatively costs to be assessed.



Plaintiff's Signature

Plaintiff's address for service

95 Godfrey Nixon Way
Unit #13, George Town, Grand Cayman
P.O. Box 1661, KY1-1504

947-8565

IN THE SUMMARY COURT AT GEORGE TOWN, GRAND CAYMAN, CAYMAN ISLANDS

CAUSE NO.

BETWEEN: Parkview Courts Strata #448

Plaintiff

AND: Lorne Huxtable

Defendant

ACKNOWLEDGEMENT 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 defence overleaf.

Service of the Plaint 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 495, Grand Cayman KY1-1106 Cayman Islands within 14 days of receipt otherwise a default Judgment may be entered against you.