

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: G0030 OF 2017

BETWEEN:

THE PROPRIETORS, STRATA PLAN NO. 33

PLAINTIFF

AND



DONNITA LEA MOIST

DEFENDANT

WRIT OF SUMMONS



TO: Donnita Lea Moist
11713 Pendleton Road
Yucaipa, California 92399
United States of America

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

Within 28 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495G, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 7 day of Feb 2017.

NOTE - This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The Plaintiff is a strata corporation incorporated under the *Strata Titles Registration Law* as Strata Plan no. 33 located on Grand Cayman and bearing the name West Wood (or Westwood) Villas.
2. The Defendant is a member of the Plaintiff corporation and is the proprietor of the strata lot described as West Bay North West Registration Section Block 1E Parcel 9H2 (the "Property"), a strata lot within Strata Plan no. 33. The Property is further described as "apartment #2".
3. The affairs of the Plaintiff are governed by Bye-Laws and are controlled and administered by an elected Executive Committee (the "Executive Committee").
4. The Executive Committee is empowered to levy upon the members of the Plaintiff corporation from time to time various fees, charges and assessments and has done so.
5. As at the 1st day of February, 2017 the Defendant is indebted to the Plaintiff in the amount of CI\$75,462.45 (the "Amount Due") as a result of her failure to pay the full amount of the fees, charges and assessments levied by the Executive Committee.
6. The Plaintiff has demanded that the Defendant pay the Amount Due but the Defendant has failed or refused so to do.

AND THE PLAINTIFF claims:

1. an Inhibition upon the registration of any dealing with the Property until further Order of this Court;
2. the sum of CI\$75,462.45, being the Amount Due;
3. interest thereon, pursuant to the *Judicature Law*; and
4. costs of this action.

Dinner Martin Attorneys

Dinner Martin Attorneys

THIS WRIT was issued by Dinner Martin Attorneys, of counsel to the Plaintiff, whose address for service is 3rd Floor, One Capital Place, P.O. Box 10190, Grand Cayman KY1-1002, Cayman Islands.

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DONNITA LEA MOIST

DEFENDANT

ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged: _____
2. State whether the Defendant intends to contest the proceedings (tick appropriate box)
 yes no
3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box)
 yes no

Service of the Writ is acknowledged accordingly.

(Signed).....

Attorney for

Notes on address for service

Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

Indorsement by plaintiff's Attorney (or by plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Dinner Martin Attorneys
3rd Floor, One Capital Place
P.O. Box 10190
Grand Cayman KY1-1002
Cayman Islands

Indorsement by defendant's Attorney (or by defendant if suing in person) of his name, address and reference, if any, in the box below.

[Empty box for defendant's attorney indorsement]