

Plaint

IN SUMMARY COURT AT GEORGE TOWN

Cause No. SC# 35 of 2017

THERESA CHIN AND - Plaintiffs
CAYMAN 123 TRAVEL

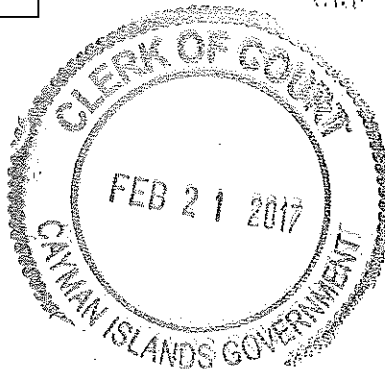
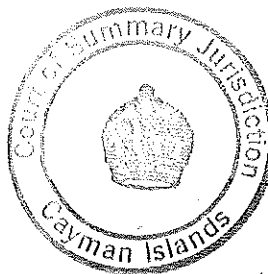
BETWEEN:

DANIEL LOWE - Defendant

AND:

To the Defendants:

C/O Lowes Global Debt Collection Services &
Others
PO Box 12381,
George Town, Grand Cayman KY1-1011
Tele: 929-5770/em: cherylip35@hotmail.com



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

Within 14 days after service of this Complaint on you, counting the day of service you must either satisfy the claim or return to the Court Office, P.O. Box 495, Grand Cayman KY1-1106, CAYMAN ISLANDS, 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 20 day of FEB 2017

See overleaf for particulars of the Plaintiff's claim

PARTICULARS OF CLAIM

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

1. That the Plaintiff entered into an agreement with the Defendant and his agency to collect outstanding monies owed to the Plaintiff.
2. The Defendant collected **CI\$1679.00** a sum representing funds collected from debtors of the Plaintiff.
3. The Defendant has been contacted numerous times to pay the funds collected less his commission and the Defendant advised the Plaintiff that he had to use the funds collected for personal issues as outlined in the attached series of emails dated between January 14th – January 17th, 2014.
4. The Defendant was has made no efforts to settle with the Plaintiff.
5. The Plaintiff now seeks the assistance of the Courts to remedy the collection of the funds owed by the Defendant.

The Plaintiff is owed **CI\$1679.00** plus cost, interest and fixed cost.

AND the Plaintiff claims:

1. The Plaintiff is claiming the sum of **CI\$1679.00** being the outstanding amount free of interest.
3. Interest on the sum at the rate of to be **prescribed by the Court** per annum.
4. Interest to continue until the matter is settled and together with other cost the Courts assessed for this action.
5. Fixed cost of **CI\$350.00**, alternatively cost to be assessed by this Court.



Plaintiff's Signature

Plaintiff's address for Service

PO Box 2553

(OFFICE LOCATION HERE)

Grand Cayman, KY1-1104

CAYMAN ISLANDS

Cell: 324-0799/em: info.123travel@gmail.com

Acknowledgement of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 35 of 20 17

THERESA CHIN AND - Plaintiffs
CAYMAN 123 TRAVEL

BETWEEN:

DANIEL LOWE - Defendant

AND:

ACKNOWLEDGEMENT OF SERVICE

- State the Defendant's name and address –

C/O Lowes Global Debt Collection Services & Others
PO Box 12381,
George Town, Grand Cayman KY1-1011
Tele: 929-5770/em: cherylip35@hotmail.com

- State whether the Defendants intends to contest the Action

Yes No

- If you do not intend to contest the action, do you want time in which to pay the claim?

Yes No

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

Service of the Plaintiff is acknowledged accordingly.

Defendant's Signature

Dated this _____ day of _____, 2017

Sea 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 of the claim)

Defendant's Signature

REMINDER - This form must be taken or sent to the Court Office, Downtown, George Town, Kirk House, P.O. Box 495, Grand Cayman KY1-1106, GRAND CAYMAN, Tele: 949-4296 within 14 days of receipt otherwise a default judgment may be entered against you.



Lowes Global Debt Collection Services & Others

Authorization to Collect

Agreement between

Company Name Cayman123 Travel

Company Address 142 B Eastern Avenue 943 1238
925-6193

AND

LOWES GLOBAL DEBT COLLECTION SERVICES

P.O. Box 12381, KY1-1011

Grand Cayman

Tel: (345) 92-95770

Email:lowesglobaldebtcollectionservices@hotmail.com

Theresa Chin, hereby authorizes Lowes Global Debt Collection Services to collect outstanding debts and act as their Accounts Receivable Manager

B. Theresa Chin, and agrees to pay a onetime filing fees of CI\$25.00 upon signing and Commissions of, 30, 35, 40% on the collection of our bad debts. Dishonored checks and charges which will be added to the original debt, as per percentage shown.

Lowes Global Debt Collection Services is further authorized to use the appropriate legal proceedings when necessary to collect such debts, and reserved the right to collect commission from the client if the debtors refused to pay same. The terms of this agreement is governed by the laws applicable in the Cayman Islands.

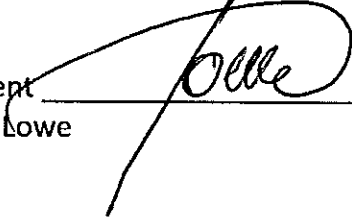
Authorized Signatures:

Client

A handwritten scribble consisting of several overlapping loops and lines, possibly representing a signature or initials, positioned above a horizontal line.

Owner & Agent

Mr. Daniel A Lowe

A handwritten signature in cursive script that reads "D Lowe", written over a horizontal line. A long, sweeping stroke extends from the end of the signature downwards and to the left.



Lowes Global Debt Collection Services & Others

January 14, 2011

Attention Mrs. Chin

Dear Madam:

Re: Payment from Marjorie Pitter, invoice No: 9833

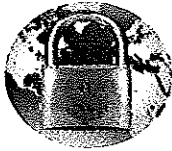
Please see payment of C\$105 from the above person, after the commission of C\$45 is taken as 30%.

She paid C\$150 and will be paying C\$150 monthly until paid off, balance of C\$3751.86, she also shows intention if and when more funds comes available she will pay more toward the ac.

Sincerely,

Handwritten signature of Daniel Lowe.

Daniel Lowe
C/o Lowes Global debt Collection services
9295770-3256394



Lowes Global Debt Collection Services & Others

February 22, 2011

Attention Mrs. Chin
Cayman 123 Travel

Dear Madam:

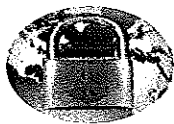
Re: Payment from Winston Harrison invoice No: 19152

Please see payment of CI\$400 from the above person, commission already received

Sincerely,

A handwritten signature in black ink, appearing to read 'DLowe', written over a horizontal line.

Daniel Lowe
C/o Lowes Global Debt Collection Services
9295770-3263136



Lowe Global Debt Collection Services & Others

August 8, 2011

Mrs. Chin

Dear Madam:

Please see payments for Marjorie Pitter whom paid CI \$100, toward her account, and after commission of 30%, leaving CI\$70.

Please accept check in sum of CI\$70.00

Sincerely,

A handwritten signature in black ink, appearing to read 'D Lowe', written over a horizontal line.

Mr. Daniel Lowe

**C/O Lowe Global Debt Collection Services & Other
9295770, 3263136**



Lowe Global Debt Collection Services & Others

August 8, 2011

Mrs. Chin

Dear Madam:

Please see payments for Karen Smith whom paid CI \$100, toward her account, and after commission of 35%, leaving CI\$65.

Please accept check in sum of CI\$65.00

Sincerely,

A handwritten signature in black ink, appearing to read "D Lowe". The signature is written over a horizontal line that extends to the left and right of the signature.

Mr. Daniel Lowe

**C/O Lowe Global Debt Collection Services & Other
9295770, 3263136**



Lowe Global Debt Collection Services & Other

August 8, 2011

Mrs. Chin

Dear Madam:

Please see payments for Sonya Moya whom paid CI \$50, toward her account, and after commission of 40%, leaving CI\$30.

Please accept check in sum of CI\$30.

Sincerely,

A handwritten signature in black ink, appearing to read 'D Lowe', written over a horizontal line.

Mr. Daniel Lowe

**C/O Lowe Global Debt Collection Services & Other
9295770, 3263136**

Theresa Chin

From: Daniel and Lorraine Lowe <cherylip35@hotmail.com>
Sent: Friday, January 17, 2014 4:36 PM
To: theresa.cayman123travel@candw.ky
Subject: FW: Re outstanding Collection

Dear Ms. Chin,

I have replied to your mail already and have now forwarded same again. I have no intention of not paying back what I have used, if Gillard would have paid like he said he would the monies would have paid back by now, so I am once again showing my intention of paying back funds used on a monthly basis starting end of January CI\$100 until paid off could you once again send me an account number so I can deposit same in it and send slip as verification.

I cannot afford to pay it in full, I am not being hard I am sorry for inconveniencing you and if your bent on going to the Police when we had an agreement I guess its because since I am guilty hurt me a bit further, why cant I not pay it back as I have suggested, isn't it the same as collecting it on a monthly basic. I spend so much with the other accounts and telephone calls driving up and down to Gillard and Phillip Dixons residence in Bodden Town and west bay. I certainly didn't get anything out of it, but right is right and wrong is wrong, so I am wrong to use it, so if your crucifying why when I am agreeing to pay u back, not at once as I didn't get all at once, it was over a period of time as I was doing the accounts and it was frustrating how the others promised to pay, and didn't since I didn't have monies available I used the funds to make up to buy gas to run down the other accounts, until you pulled them away, leaving me stranded, but that's life I have lost a lot already, so a little more wont hurt so much, as a small company.

I cant stop you Ms. Chin whatever you heart says, I know and just judging I don't see any reason why you should do so, I will be paying back monies as agreed. I do thank you for your time and at the end of the month I will have the first CI\$100, so could you send a bank account number thanks. In my line of work every debt collector one way or another have the opportunity to use clients finds but returned same, I was doing just that until the accounts were stopped, and I never have anymore commission to live off, but was still doing the job to satisfy you, I went through so much abuse and cuss out for the accounts just to show you life wasn't easy, but I did not stop, and that forced me to use funds, not that I wanted to. I once again apologies and will pay back funds as agreed, with your cooperation of course. kind regards

Daniel Lowe

Date: Tue, 14 Jan 2014 20:15:07 -0500
Subject: RE: Re outstanding Collection
From: cherylip35@hotmail.com
To: theresa.cayman123travel@candw.ky

Dear ms chin I am sorry for the delay things are a bit rough and I think of paying in my heart but don't see the funds as yet can't pay it in full maybe little at time. Could u provide me with bank account so I can deposit the little at time thanks for your patience. It wasn't intentional if I had gotten village money u would have gotten it back already, I know I owe and is willing to do it in little amount but I can't afford it in full payment as I don't

make much thanks for waiting, will have to clear my bills this year one at or the other. Pl bear with me I do meant well and I give u my word to pay it back

Theresa Chin <theresa.cayman123travel@candw.ky> wrote:

Good morning Mr. Lowe

The due date for payment has passed; I am just wondering what are you intentions? This is becoming a serious matter and I am thinking to report this to the police dept. as you cannot be a collection agent and using my money for your personal self without my authority.

Awaiting your response.

Theresa Chin

From: Daniel and Lorraine Lowe [mailto:cherylip35@hotmail.com]

Sent: Friday, October 11, 2013 8:20 PM

To: Theresa Chin

Subject: RE: Re outstanding Collection

Dear Ms. Chin,

Could you send me an account number, so I can deposit cash as its convenient to do so and not take uptime by coming to the office, since I no longer collect on your behalf.

Cash will be deposited and copy of slip sent to you when done, periodically. thanks I don't see the sense to take the matter to court as you never took those client to court so why the rush to do so for me, when the lord forgives, man will never let ago, why?, court isn't the answer, it a long process, and me paying it out of court will be quicker. The court will only stress out the situation. I know you are in need of your funds but life is not that easy anymore for a debt collector, will do my best to resolve the matter soon. to avoid court procedure, or unless your trying to slander me. regards.

Daniel Lowe

From: theresa.cayman123travel@candw.ky

To: cherylip35@hotmail.com

Subject: RE: Re outstanding Collection

Date: Tue, 17 Sep 2013 09:59:51 -0500

Good morning Mr. Lowe

I have taken the time to consider what you have written and I now find the need to respond; you have breeched the agreement that we have in place, there was nothing stated in your contract that you may use the funds collected on behalf of my Company for your personal or business purposes, for all invoices outstanding that was required of you to collect, you have added your fees on top of my amounts, this entitles me to my full amount of monies collected. I have not received from you 765.00CI for Ms Marjorie Pitter account as you stated so that is incorrect. You also may bring your receipts that I have signed for receiving funds from you to discuss. Also this email serves also to terminate your services and to desist from collecting any more outstanding funds from my customers. I will give you until September 30, 2013 to bring in all funds you have collected on my Company's behalf and let's settle up and close off your services, if this is not done I will be turning this matter over to my lawyer to be dealt with.

Thank you



Theresa Chin
Travel Consultant
Tel: (345)-943-1238
Or: (305)-320-9122
Fax: (345)-943-1239
Cell: (345)-925-6193
"A Goal In Life Is a Destiny Worth Finding."

From: Daniel and Lorraine Lowe [<mailto:cherylip35@hotmail.com>]
Sent: Friday, September 13, 2013 12:08 AM
To: Theresa.cayman123travel@candw.ky
Subject: Re outstanding Collection

Dear Ms. Theresa,

I do apologies for the delay in coming to your office to rectify situation. I have been extremely busy dealing with matters in court.

I must say madam I am extremely sorry to have used your funds received and will redeem every cent I have used, so I am asking you kindly due to several things happening in my life I made a mistake in my judgment and I hope you will forgive me, and I am sorry you had to seek out your clients to have found out, but at times the agent would use clients funds, but returned them ASAP, but was in the process of doing so unnoticed, since I was just borrowing same.

I am asking for your leniency to pay back funds and asked to give me time until next month end to redeem same to you, which will be ending of October. I am a little low on funds now but will be able to make it back by then. I do sorry for the inconvenience and hoping we are still in business. I still haven't stopped collecting, and will do so until all monies owing to you is paid by the debtors, I submit as follows for your notice.

Receive To your Office:

- Sonya Moya CI\$90.00
- Natasha Cranston CI\$57.70 ✓
- Karen Smith CI\$169
- Marjorie pitter CI\$765 ✓

outstanding and (1,679) is what I am owing to you

- sonya moya 369 (279) comm pd
- Natasha cranstan 739.04 -- 57.70 === still owing 681
- Marjorie pitter 2976 --- 765 === 2,211 --- still owing 800 for you ----2211 == (1,411)

- phillip Dixon 614.88 still owing pd commission of 100
- Charles ebanks 825.61 still owing only pd commission 250, still bal 80 on commission
- Gillard McLaughlin signed agreement to pay 500 monthly in august still haven't rec any payment as yet, after served him recent letter, still checking him Owes 3,832 + comm
- kraig smith 580 + comm still owing seem off island
- lal construction you said I should stand down on this account
- kevin heath he said you told him to not to pay still owes 443.60
- sheree ebanks 399.61 + comm still refused to pay saying don't owe
- Karen smith 683 --169 == 514 still owing 578.84 ----514 == 64.84 comm left

The collection business is a very hard business, I make frequent checks for these persons promised but don't deliver and since I am still in the business of collecting and tries no to let you spend any more monies to avoid court cases I keep at them several trips to west bay to Karen and Gillard, to bodden town to Phillip Dixon cant seem to find him anywhere heard he is in prison, wont give me info, so still waiting to see his brother.

I am asking you to not to judge me harshly as this business is my only source of income, sometime I am flat broke as person pays slow, so as Marjorie sometime pays I thank god so I can buys some gas to carry on the business, not that I plan to do it but it just happen and i am grateful for your accounts although not getting a lot of collection the persons are all crying sometime I feel so sorry to be going after them but if I don't I wont eat. I shouldn't have madam but I couldn't help it and for that I am deeply sorry and hope we will still have a working relationship as I meant well only it didn't go well sometime as you can see the collection is very slow, only Marjorie pays diligently some don't even start as yet, not that I am not trying but some are wicked so it fell down on me instead since I only live on the commission which isn't much but I still thank god, and I will make it up to you and show I meant well by getting the rest as my agreement says.

I am asking if you can spare me the gossips as the country is so small one can loose face very quickly and I only have this small company, I even used Sandra payment to help in the licence which is so expensive, but that's life. I will try to waive my commission from the rest to make up until I pay off the balance owing I will let you have records as I go along to keep abreast and thanks in understanding. if not I should be coming into some cash soon could use some to pay on Marjorie account for you. I thanks you truly and I cant take the embarrassment so please I am asking if we can just keep it between us and I will do all my best to straighten things out as I say by next October month end or before. I once again thank you for understanding, as I know u respected me and I do you and appreciate working on your behalf. regards.

just to show you my style Ms. Theresa I was given a 3br/house in sterling estate to manage, the lady have only one bedroom furnished, I was saving up some monies so I could pay you back last week end and lo and behold I couldn't get it rented so I ask several real estate person to help, when they look at the place , they walk in making several demands this have to go , that have to go, need this, need that. I know the lady don't have any monies and the bank threatened her so I was willing to risk putting myself into the embarrassment to help her now today I am out of those funds, as I use it to put things in the place so she can get it rent , I don't get it back yet since its isn't rented, but I am hopeful and she thanks me ' and but look what happen to me I couldn't come in to you because what I was saving up I used off hoping I can redeem it back from the rental, so madam I know it doesn't pay you back but just showing I am a nice person, but only having it hard and I hope the lord can let the house rent this week end so I can get back some of the monies so I can give you some out of it, do have a good day and will see you soon, and thanks.

Today again I got some monies from a partner and I say I was going to give you some friday, I didn't even realize my truck need licensing, though it was Friday so I could collect some more monies and maybe make up again, suddenly my vehicle insurance out, licence, truck was failed had was to trust 4 new tires to put on vehicle and still yet didn't licence since my airbag light is on and wont go off, just to show , trouble comes when you don't least expect it, it seem things knew when I have some money things happen to take it away, so, and there goes to pay you back some of what I owes, so I have no choice now to communicate with you even its make me look bad, but I hope you wont access me like one of the others. I may uses the funds but I will pay back every red cent madam, as I can, thanks again.

Daniel Lowe