

Plaint

IN SUMMARY COURT AT GEORGE TOWN

Cause No. SC# 38 of 2017

THERESA CHIN AND - Plaintiffs
CAYMAN 123 TRAVEL

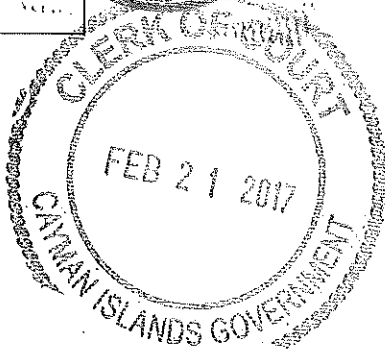
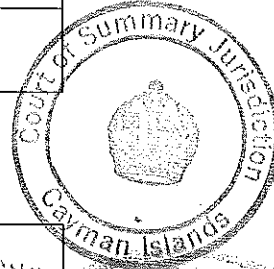
BETWEEN:

NADINE GOULD - Defendant

AND:

To the Defendants:

**C/O PO Box 58, Travel with us Ltd.
25 Dorcy Drive, Cayman Centre Suite C
George Town, Grand Cayman KY1-**



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 Defendant issued airline tickets to customers, family and friends over a period of several months without collecting payment for them. The unauthorized tickets were issued to a myriad of persons including customers of the Plaintiff, friends and family of the Defendant.
2. That the Defendant also drew cash funds from the Plaintiff's daily bank deposits without the explicit authorization of the Plaintiff. At no material time was any authorization given to the Defendant by the Plaintiff to remove any cash funds from the Plaintiff's deposit.
3. That the Defendant also used and charged the Plaintiff's Company's credit card for personal uses, and customer tickets that she had collected the cash from the customers and charged the Plaintiff credit card and the Defendant kept the cash. At no material time was the Defendant authorized by the Plaintiff to make these charges against the credit card.
4. At no material time was the Defendant authorized to issue said tickets without collecting payment in full.
5. An audit of the company credit card and ticket record systems shows the amount of said unauthorized tickets without collecting payment totaled **US\$11,015.33**.
6. The Defendant has been contacted numerous times after it was realized that the unauthorized ticket charges had not been settled when the Plaintiff completed an audit of the company ticket sales.
7. The Defendant was sent a Letter of Demand on October 7th, 2015 and she refused to accept the Letter of Demand from the professional server whose Affidavit of Service dated 6th November, 2015 is hereby attached as evidence.
8. The Defendant was given 7 days to settle the outstanding debt in full to the Plaintiff.
9. To date the Defendant has not responded to the Letter of Demand, or made any efforts to communicate with the Plaintiff to settle said outstanding sums.
10. The Plaintiff now seeks the assistance of the Courts to remedy this outstanding unpaid debt.

The Plaintiff is owed **US\$11,015.33** plus cost, interest and fixed cost.

AND the Plaintiff claims:

1. The Plaintiff is claiming the sum of **US\$11,015.33** 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 **US\$500.00**, alternatively cost to be assessed by this Court.



Plaintiff's Signature

Plaintiff's address for Service

PO Box 2553

Grand Cayman, KY1-1104, CAYMAN ISLANDS Cell: 324-0799/em: info.123travel@gmail.com

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.

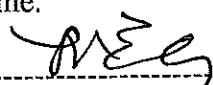
AFFIDAVIT OF SERVICE

I Debra P. Ebanks of P.O. Box 248, West Bay, Grand Cayman, Process Server do solemnly affirms and say as follows:-

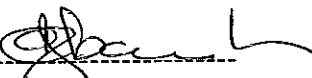
I am a processor server engaged by Theresa Chin of TC Fahrenheit Ltd on behalf of the Plaintiff.

1. The facts and matters to which I depose in this Affidavit are true to the best of knowledge and belief and are either within my own knowledge which is derived from my involvement in these proceeding or derived from the sources which I identify below.
2. On 12th October 2015 at 1:35pm I personally served Nadine Gould with a Letter dated 07th October, 2015 from the office of TC Fahrenheit Ltd. Service was effected at Travel With Us, Cayman Centre Suite C, Airport Road, George Town, Grand Cayman, Cayman Islands.
3. Nadine Gould identified herself and is also known to me.

Sworn to at West Bay/George Town
Grand Cayman this 06th day of November, 2015
before me.



Notary Public/Justice of Peace



Debra P. Ebanks



YASMIN EBANKS
Justice of the Peace

ID# YE220514

THIS AFFIDAVIT OF SERVICE filed by TC Fahrenheit Ltd on behalf of the Plaintiff whose address for service is P. O. Box 2553GT, Grand Cayman, KY1-1104, Grand Cayman, Cayman Islands.



P.O. Box 2553, KY1-1104

Tele: 345-943-1238/939-5948

Date: October 07, 2015

Ms. Nadine Gould

C/O Travel with Us Ltd.

P.O. Box 58, 25 Dorcy Drive

Cayman Centre, Suite C

Dear Ms. Nadine Gould,

LETTER OF DEMAND

We write to you with respect to an outstanding debt in our office for airline tickets and personal drawings and credit card totaling US\$11,015.33. This sum has never been settled by you, nor have you made any attempt to settle. This is an act of theft of which if you do not arrange to settle I will have no choice but to report this to the authorities.

We would therefore ask that you kindly arrange to settle this sum immediately from the date of this letter in full. And we therefore demand that payment is made to TC Fahrenheit Ltd c/o Theresa Chin by registered post, in person at the office on Eastern Avenue, or by contacting us on 943-1238 to make arrangement to come in and settle by Friday October 21, 2015. If payment is not received within the prescribed period, we will commence legal action against you to recover the debt without further notice.

We wish to inform you that you may be ordered to pay additional legal costs that may incur interest.

Should you have any further queries, please do not hesitate to contact Ms. Theresa Chin on 345-939-5948 or by email: theresa.cayman123travel@gmail.com.

Yours faithfully,

TC Fahrenheit Ltd.

*Refused to
acknowledge
receipt by signing
But accepted
12/10/15
@ 1:35pm
* say this is foolishness*

Dear Ms. Nadine Gould

Break down of salary and commission is as follows:

Base for the month of December: USD1785.71

40% of sales for December: USD1931.29

HotelRewards commission: USD55.17

Dollar Car Rental commission: USD72.32

Alamo Car Rental commission: USD309.44 (since the start with Zimple Car)

Travel Insurance: USD135.38

Grand Total USD4289.32

Pension owed to your account with interest according to the pension law calculation is CI 13,514.94

Invoice owed to Cayman123 Travel that can be accounted for to date: CI11, 853.90 (not sure what else will arise once we have posted and validate the receipt books). Enclose is a cheque for the amount of CI2300.06 which will cover what is owed to you up until December 31, 2013. Please collect cheque from your customer Mr. David Watler in the amount USD1551.15; this being deducted from your pending salary.

Thank you for your contribution of helping to build Cayman123 Travel over the years and I do wish you the best in your future endeavors.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'Theresa Chin', written over a horizontal line. The signature is stylized and somewhat scribbled.

Theresa Chin

CAYMAN123 TRAVEL
 142B EASTERN AVENUE
 GEORGE TOWN CAYMAN ISLANDS
 KY1-1104
 345-943-1238

Client Statement

Nadine Gould
 Gould/Nadine

Client ID: 3453262781
 Client No: 2014

Issue Dt	Invoice No	Remarks	Start Dt	Itinerary	Fare	Remarks
Ticket No	Passenger	Vendor				
2/12/2009	377731 Gould/Nadin	Cayman123		<i>Salary Adv.</i>	3,571.43 Less Partial Payment: -595.24 <u>2,976.19</u>	
3/31/2009	6222 2569977537 Blackmore/	Cayman Air	4/8/2009	GCMKINMB	369.29 <u>369.29</u>	
6/17/2009	9338 2579973696 Triana/Pedr	Cayman Air	8/9/2009	GCMMIAGC	411.35 Less Partial Payment: -357.15 <u>54.20</u>	
6/17/2009	9339 2579973697 Williams/Luc	Cayman Air	8/9/2009	GCMMIAGC	71.15 <u>71.15</u>	
7/7/2009	426 1886 Gould/Nadin	Cayman123		<i>Salary Adv.</i>	476.19	
8/15/2009	13209 3602591626 Williams/Luc	Cayman Air	8/16/2009	MIAGCM	237.10	
3/22/2010	21764 3873821787 Blackmore/	Cayman Air	4/2/2010	GCMKIN	240.05	
4/22/2010	22900 2096571434 Blackmore/	Cayman Air	4/23/2010	MBJGCM	225.98	
6/7/2010	24312 2096578031 Nichols/Patri	Air Jamaica	6/8/2010	KINJFKKIN	372.04	
	2096578032 Nichols/Mala	Air Jamaica	6/8/2010	KINJFKKIN	12.00	
	Nichols/Patri	Agency Serv	8/1/2010		30.00 <u>414.04</u>	
8/28/2010	1849 2727173251 Blackmore/	Cayman Air	8/29/2010	KINGCM	231.44	
10/3/2010	28570 2727177771 Murray/Den	Cayman Air	10/4/2010	KINGCMKIN	273.69	
10/31/2010	2525 2727181546 Murray/Den	Cayman Air	11/1/2010	GCMKIN	75.00	
1/11/2011	31881 2748998952 Watler/Davi	Cayman Air	1/12/2011	GCMMIASA	150.00	
2/8/2011	371165 Gould/Nadin	Cayman123		<i>Credit Card</i>	4,152.25	
8/12/2011	38866 2789988342 Burton/Onek	Cayman Air	8/19/2011	GCMKINGC	418.52 Less Partial Payment: -240.47	

Issue Dt	Invoice No	Remarks				
Ticket No	Passenger	Vendor	Start Dt	Itinerary	Fare	Remarks
					178.05	
11/4/2011	40854					
2968767843	Gould/Raev	Cayman Air	12/2/2011	GCMMIAGC	311.75	
2968767844	Gould/Nadin	Cayman Air	12/2/2011	GCMMIAGC	311.75	
					623.50	
8/28/2012	377700					
	Gould/Nadin	Salary adva		<i>Raven School</i>	2,678.57	
9/13/2013	376878					
2122166653	Gould/Nadin	Cayman Air	9/16/2013	GCMMIAGC	342.55	
2122167528	Gould.Thom	Cayman Air	9/16/2013	GCMMIAGC	342.55	
					685.10	
					14,111.79	

Voucher No	Issue Date	Remarks	Amount
491	2/25/2009	Pynt #071041	-366.79
335397	6/21/2009	Pynt #4533	-357.15
656877	8/27/2009	Pynt #7673	-1,288.63
737645	11/6/2009	Pynt #10062	-18.00
112791	10/17/2010	Pynt #20867	-105.59
485695	8/17/2011	Pynt #31191	-240.47
700022266	1/27/2014	Pynt #49090	-595.24
			-2,971.87

Total Open: 14,111.79
Total Vouchers: 2,971.87
Account Balance: 17,083.66

Please note all rates are USD. To convert to CI \$ use .84