

Plaint

IN SUMMARY COURT AT GEORGE TOWN

Cause No. SC# 42 of 2017

THERESA CHIN AND CAYMAN 123 TRAVEL	- <u>Plaintiffs</u>

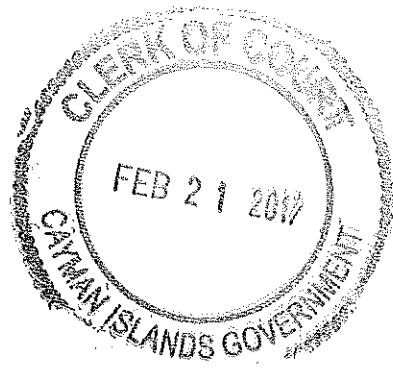
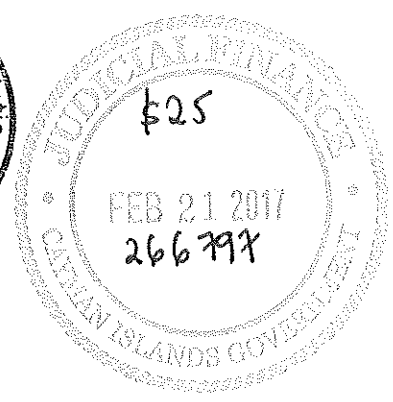
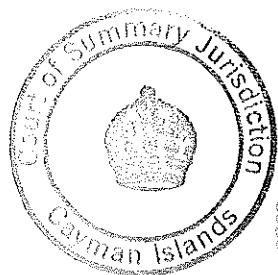
BETWEEN:

GILLARD MCLAUGHLIN	- <u>Defendant</u>
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AND:

To the Defendants:

PO Box 31762 294 North Sound Road, Common Place (previously known as: Mirco Centre) George Town, Grand Cayman KY1-1207/Tel: 926-2792



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 **Plaint** 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 from 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

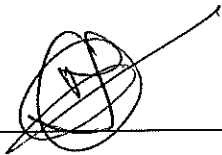
(Here set out in numbered paragraphs the grounds upon which the Plaintiff claims that the Defendants is indebted to the Plaintiff or is liable to pay damages to the Plaintiff)

1. That the Defendant paid for airline tickets using a Cayman National Bank cheque numbered 5778 drawn on account number 01107496 for **CI\$4948.57** of which was to be applied to the outstanding account for airline tickets of which was at that time the full balance of the account was **US\$5748.15**. The Defendant came back to the office within 24 hours of issuing the cheque and collected it, at that time advised the Plaintiff that he would be returning with a new cheque for the total balance. The Defendant never returned with a new cheque.
2. The Defendant has been contacted numerous times after it was realized that the cheque had not been settled when the Plaintiff began an audit of the company ticket sales.
3. The Defendant was sent a Letter of Demand on May 12th, 2015 by registered post RD 01122255 5 KY.
4. A subsequent letter was sent again to the Defendant by post on September 30th, 2015.
5. The Defendant was given 14 and 7 days respectively to settle the outstanding debt, or produce receipts that the debt had been settled.
6. 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.
7. The Plaintiff now seeks the assistance of the Courts to remedy this outstanding unpaid debt.

The Plaintiff is owed **US\$5748.15** plus cost, interest and fixed cost.

AND the Plaintiff claims:

1. The Plaintiff is claiming the sum of **US\$5748.15** 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

(OFFICE LOCATION HERE)

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.

Shoreway Builders Ltd.

P.O. Box 31762
Grand Cayman KY1-1207
CAYMAN ISLANDS
Tel: 345-926-2792

5779

DATE 31.7.09

PAY TO THE
ORDER OF

Saxior General

KYD 610.00

Six hundred and Ten only

DOLLARS



CAYMAN NATIONAL

KYD

[Signature]

⑈005779⑈ ⑆11000⑈004⑆ 01107496⑈

Shoreway Builders Ltd.

P.O. Box 31762
Grand Cayman KY1-1207
CAYMAN ISLANDS
Tel: 345-926-2792

5778

DATE 31.7.09

PAY TO THE
ORDER OF

CAYMAN 123 TRAVEL

KYD 4948.57

Forty nine hundred and forty eight & 57/100

DOLLARS



CAYMAN NATIONAL

KYD

[Signature]

⑈005778⑈ ⑆11000⑈004⑆ 01107496⑈

Invoice Query

Gillard McLaughlin

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

Issue	Invo	Typ	Bra	Client	Ag	Sta	Gr	Rec	AR	Rem	Invoice	Passenger	Full Re Pymt #	Invoice Total	CB ResCard No
2/10/2	359	Vo	0	Mclaughlin/		Op				Pymt	1582				
2/15/2	363	Vo	0	Mclaughlin/		Op				Pymt	1586				
2/15/2	366	Vo	0	Mclaughlin/		Op				Pymt	1592				
3/10/2	7852	Vo	0	Mclaughlin/		Op				Pymt	3037				
3/10/2	7852	Vo	0	Mclaughlin/		Op				Pymt	3038				
4/15/2	6735	Sal	0	Mclaughlin/	Ke	Op		2RF	989		4561	Sanchez.Os		366.35	
4/17/2	6803	Sal	0	Mclaughlin/	Th	Op		MVN	989		4714	Mclaughlin/		387.35	
6/30/2	1041	Sal	0	Mclaughlin/	Th	Op		MU	989		9506	Mclaughlin/		803.35	
7/24/2	1170	Sal	0	Mclaughlin/	CL	Op		2CA	989		11485	Dilbert/Elea		385.35	
7/24/2	1170	Sal	0	Mclaughlin/	CL	Op		2CA	989		11486	Mclaughlin/J		770.70	
7/24/2	1171	Sal	0	Mclaughlin/	CL	Op		MCA	989		11502	Mclaughlin/		2,385.05	
6/30/2	1052	Sal	0	Mclaughlin/	Th	Op			989		29578	Mclaughlin/		456.00	
4/17/2	1053	Sal	0	Mclaughlin/	Th	Op			989		29579	Mclaughlin/		174.00	
7/27/2	7352	Vo	0	Mclaughlin/		Op				Pymt	33334				
													Pymt #	5,728.15	



PO Box 2553, KY1-1104
Tele: 939-5948

Date: May 15, 2015, 2015

The Owner/Director: Gillard Mclaughlin
Shoreway Buildings Ltd.
PO Box 31762
Grand Cayman, KY1-1207/Tele: 926-2792

Dear Sir/Madam:

LETTER OF DEMAND

We write to you with respect to an outstanding debt in our office for airlines tickets totaling CI\$.5728.15 This sum has never been settled by you, nor have you made any attempts to settle.

We would therefore ask that you kindly arrange to settle this sum within 14 days from the date of this letter in full. And we therefore demand that payment is made to Cayman123 Travel, c/o Theresa Chin by returned registered post, in person at the office on Eastern Avenue, or by contacting us on 939-5948 to arrange to come in and settle this prior to the expiry of the 14 days. 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 939-5948 or by email: Theresa@cayman123travel.com .

Yours faithfully,

A handwritten signature in black ink, appearing to be "Theresa Chin", written over a horizontal line.

Cayman123 Travel

Registered Mail Domestic



Domestic Registered Mail Service is available Islands wide. Please contact your local post office for more details.

Write full details of where your item is going.

Press firmly you are making 5 copies:

TO: Gillard McLaughlin
Name Shoreway Buildings Ltd.

P.O. Box 31762
Island GRAND CAYMAN
Postcode KY1-1207

Reference: RD 01122255 5 KY

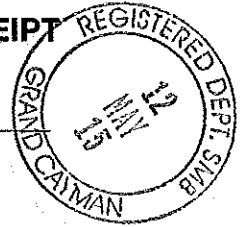
1. Write your address on the item.
2. Affix completed form to back of your item before presenting at your local post office.

RD 01122255 5 KY



CUSTOMER RECEIPT

Initials:



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:-

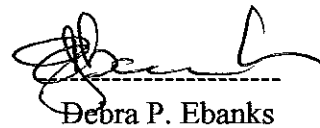
I am a processor server engaged by Theresa Chin of TC Fahrenheit Ltd on behalf of the Plaintiff.

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 27th October 2015 at 2:55pm I personally served Gillard McLaughlin with a Letter dated 30th September, 2015 from the office of TC Fahrenheit Ltd. Service was effected at On the Run Service Station, Red Bay, Grand Cayman, Cayman Islands.
3. Gillard McLaughlin identified himself 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

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: September 30, 2015

Gillard McLaughlin

C/O Junk Ltd

294 North Sound Road

Mirco Centre, George Town.

Dear Mr. Gillard McLaughlin,

LETTER OF DEMAND

We write to you with respect to an outstanding debt in our office for airline tickets totaling CI\$5728.15. This sum has never been settled by you, nor have you made any attempt to settle. You were advised that there were no funds to cover the cheque that you wrote to Cayman123 Travel. 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 14, 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.

*Doc served
27/10/15
@ 2.55 pm
Eno/On the Run
Red Bay.*