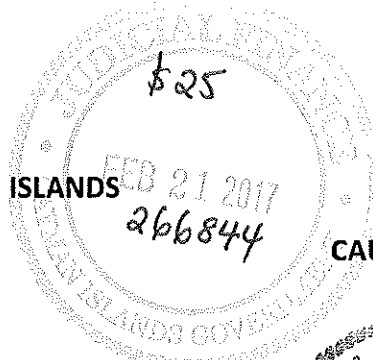


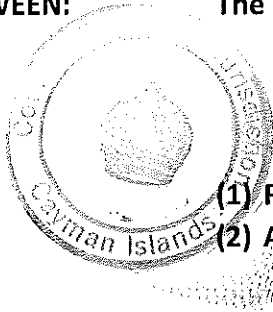
IN THE SUMMARY COURT OF THE CAYMAN ISLANDS



CAUSE NO. 43 OF 2017

BETWEEN: The Proprietors of Strata Plan #255, Cay Courts

And



(1) Renard Moxam
(2) Annie-Rose Moxam



Plaintiff

Defendant

TO: 1st Defendant, Renard Moxam of: George Town, Grand Cayman

AND TO: 2nd Defendant, Annie Rose Moxam of: Lower Valley, Bodden Town, Grand Cayman

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 **Plaint** on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495GT, 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 Acknowledgment of Service form.

If you fail to satisfy the claim or fail to return the Acknowledgment 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 21st day of February 2017

See overleaf for full particulars of the Plaintiff's claim.

PARTICULARS OF CLAIM

1. The Plaintiff are the Proprietors of Strata plan 255, Cay Courts (the "Strata Corporation").
2. Unit #7 (being parcel 668H7 of Block 14E in Registration Section George Town South) is an apartment unit (the "Unit"), a strata lot within Strata Plan 255.
3. The 1st Defendant has at all material times up until 3 February 2016 been the registered proprietor of the Unit.
4. The 2nd Defendant has from 3 February 2016 been (and, at the date of issuing of this Plaint, currently is) the registered proprietor of the Unit.
5. The Strata Bye-laws of the Strata Corporation provides that:
"6.1 A proprietor shall:
(b) pay all rates, charges, outgoings and assessments that may be payable in respect to his Strata Lot:

PROVIDED ALWAYS THAT:
(iii) in the event of any such payment not being made within 90 days of such demand or the due date as the case may be he shall pay interest thereon at the rate of one point five per center annum (1.5% p.a.) Cayman Islands Dollar prime rate as shall be determined by Cayman National Bank Ltd. Which interest shall accrue from day to with monthly rests until payment..."
6. The accumulated balance in rates, outgoings and assessments under the Bye-law ("Strata Fees") unpaid by the proprietor of the Unit and due to the Plaintiff as at 30 January 2017, (inclusive of interest calculated thereon), comes to CI\$16,904.13.

The schedule of the outstanding Strata Fees is as follows:

Balance from November 2012	(64.35)
Strata December 2012	318.00
Strata January 2013	318.00

Strata February 2013	318.00
Strata March 2013	318.00
Strata April 2013	318.00
Strata May 2013	318.00
Strata June 2013	318.00
Strata July 2013	318.00
Strata August 2013	318.00
Strata September 2013	318.00
Strata October 2013	318.00
Strata November 2013	318.00
Strata December 2013	318.00
Strata January 2014	318.00
Strata February 2014	318.00
Strata March 2014	318.00
Strata April 2014	318.00
Strata May 2014	318.00
Strata June 2014	318.00
Strata July 2014	318.00
Strata August 2014	318.00
Strata September 2014	318.00
Strata October 2014	318.00
Strata November 2014	318.00

Strata December 2014	318.00	
Strata January 2015	318.00	
Strata February 2015	318.00	
Strata March 2015	318.00	
Strata April 2015	318.00	
Strata May 2015	318.00	
Strata June 2015	318.00	
Strata July 2015	318.00	
Strata August 2015	318.00	
Strata September 2015	318.00	
Strata October 2015	318.00	
Strata November 2015	318.00	
Strata December 2015	318.00	
Strata January 2016	318.00	
Strata February 2016		318.00
Strata March 2016		318.00
Strata April 2016		318.00
Strata May 2016		318.00
Strata June 2016		318.00
Strata July 2016		318.00
Strata August 2016		318.00
Strata September 2016		318.00

Strata October 2016	318.00
Strata November 2016	318.00
Strata December 2016	318.00
Strata January 2017	318.00

Sub Total	\$15,835.65
Interest	\$1,068.48
Grand Total	\$16,904.13

7. The 1st Defendant, as the registered proprietor, is contractually bound to discharge the Strata fees accumulated during the duration of his occupancy until 3rd February 2016.
8. In accordance with Bye Law 6.1 outlined in paragraph 5 above, 2nd Defendant, as the current registered Proprietor of the unit, remains liable for the any and all fees outstanding at the date of the proprietorship.
9. The Plaintiff, acting through the Chair of the Executive of the Strata Corporation, has on occasions, both before and post the transfer of the Unit on 3 February 2016, raised the demand for payment of the Strata Fees outstanding directly with the 1st Defendant.
10. The 1st Defendant has failed to make payment of the outstanding Strata Fees or any part thereof.
11. The Plaintiff, acting through the Chair of the Executive of the Strata Corporation, has on occasions, post the transfer of the Unit on 3 February 2016, raised the demand for payment of the Strata Fees outstanding directly with the 2nd Defendant.
12. On 11 November 2016, the Strata Corporation issued a letter of demand to the 2nd Defendant for the sum of \$15,199.65 (being inclusive of Strata Fees for November 2016)
13. The 2nd Defendant has failed to make payment of the outstanding Strata Fees or any part thereof.

14. The Plaintiff claims payment of outstanding Strata fees (including interest accumulated thereon) and pre-and post judgement interest:

STATEMENT REGARDING INTEREST:

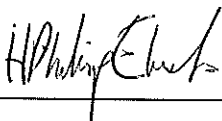
15. (a) The Plaintiff seeks pre-and post-judgment interest from the date of issue of this Plaintiff,
pursuant to the contractual rate set in 6.1 (b) (iii) of the Strata Bye-Laws (being Cayman Islands Prime Rate, plus 1.5%), currently being 5.25% per annum.
- (b) The Interest is claimed from 30 January 2017 at a daily rate of \$2.43
- (c) The interest due as at 21 February 2017 is \$51.05
- (d) The interest accruing each day after 21 February 2017 is \$2.43.

AND the Plaintiff claims:

- (1) The Sum of CI\$16,904.13,
- (2) Interest at the contractual rate pursuant to 6.1 (b) (iii) of the Strata Bye-Laws,
- (3) Fixed Costs of \$150 or alternatively costs to be assessed
- (4) Filing Fees and Bailiff Fees (\$50)

If within the time for returning the Acknowledgement of Service the Defendants (or either Defendant) pay to the Plaintiff the total amount of claimed of CI\$17,155.18 (inclusive of interest due as at the date of issue of this Plaintiff and fixed costs, filing fees and Bailiff fees) all further proceedings will be stayed.

Dated: 21 February 2017



H. Phillip Ebanks, Attorney for the Plaintiff

DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF PLAINT

1. The accompanying form of Acknowledgement of Service should be completed by an Attorney on behalf of the Defendant or by Defendant if acting in person.

After completion it must be delivered or sent by post to the Law Courts, PO 495G, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgement of Service that he intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is not endorsed on the Plaint, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgement, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

See overleaf for notes for guidance

Please complete overleaf

Notes of Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 14 days for acknowledging service, a plaint served on the Defendant personally is treated as having served on the day it was delivered to him.
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the PLAINT)".
4. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "Partner in the form of (.....)" after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
8. The Defendant acting in person may obtain help in completing the form at the Court Office.

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2017

BETWEEN: The Proprietors of Strata Plan #255, Cay Courts

Plaintiff

And

(3) Renard Moxam
(4) Annie-Rose Moxam

Defendant

PLAINT

ACKNOWLEDGEMENT OF SERVICE
OF PLAINT

- 1. State the full name of the Defendant's by whom or on whose behalf the service of the Plaintiff is being acknowledged.

- 2. State whether the Defendant intends to contest the proceedings.

_____ Yes

_____ No

3. If the claim against the Defendant is for a debt or liquidation 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.

_____ **Yes**

_____ **No**

Service of the Plaintiff is acknowledged accordingly.

(Signed).....

Attorney for

Please complete overleaf

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.

H. Phillip Ebanks
Attorney-at-Law
62 Hospital Road Plaza, George Town,

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]