

IN THE SUMMARY COURT AT GEORGE TOWN



Cause No. SC 112 of 2017

BETWEEN:

GREEN FIELDS FINANCIAL INVESTMENTS LTD.
(t/a FAST LOANS)



Plaintiff

AND:

DALKEITH LADNER WHITTAKER



Defendant

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 Plaintiff on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495 GT, George Town, Grand Cayman, 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 acknowledgeable of Service form containing full particulars of your defence, the Plaintiff may apply for a **default judgement** without any further notice to you.

Issued this 16 June 2017.

See overleaf for particulars of the Plaintiff's claim.

PARTICULARS OF CLAIM

1. The Plaintiff is and was at all material times a company duly incorporated in the Cayman Islands in the business of providing short term unsecured loans.
2. The Defendant at the material times was a resident of the Cayman Islands.
3. By a written agreement dated 7 February 2013 and executed by the Defendant (hereinafter referred to as the "**Agreement**"), the Plaintiff agreed to advance the sum of CI\$ 350.00 to the Defendant.
4. The Defendant agreed to pay the Plaintiff the sum of CI\$ 418.75 (being repayment of the sum advanced together with interest) on or before 25 February 2013. The Defendant agreed to pay interest on the sum advanced of 7.5% per week.
5. At the time of entering into Agreement the Defendant was employed for Cayman Airways as a First Officer and had an annual salary of CI\$ 84,853.00. Prior to entering into the Agreement, the Defendant provided to the Plaintiff evidence of employment in the Cayman Islands.
6. The Defendant failed to pay the sum outstanding under the Agreement on 25 February 2013 or at all, despite demands for payment by the Plaintiff.
7. The Defendant agreed to interest pursuant to the Agreement at the rate of 7.5% per week. The contractual interest is CI\$ 5,962.50 for the period 25 February 2013 to 16 June 2017 at a per diem rate for the period of CI\$ 3.75 and continuing.
8. A letter before action dated 30 November 2016 has been served on the Defendant. The Defendant was given 21 days of service of the letter before action to pay the amount due under the Agreement. The amount owed under the Agreement remains outstanding as of the date of this claim.
9. The Plaintiff is entitled to payment to the amount agreed upon between the parties under the Agreement including the principal sum advanced and interest.

AND the Plaintiff claims:

1. The sum of CI\$ 350.00.
2. Contractual interest at a total of CI\$ 5,962.50, as at 16 June 2017, and continuing at a per diem rate of CI\$ 3.75.

3. Costs to be assessed.

SYMONS & SYMONS

Symons & Symons, Attorneys-at-law

THIS Plaintiff is filed by Symons & Symons, on behalf of the First Defendant, whose address for service is that of their said attorneys, namely: 4 Tropic Centre, 18 Earth Close, PO Box 30783 SMB, Grand Cayman KY1-1204 Cayman Islands [Our ref: 4899-0009]

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC of 2016

BETWEEN: GREEN FIELDS FINANCIAL INVESTMENTS LTD.
(t/a FAST LOANS) **Plaintiff**

AND: DALKEITH LADNER WHITTAKER **Defendant**

ACKNOWLEDGEMENT OF SERVICE

1. State Defendant's name and Address:-

2. State whether the Defendant intends to contest the action.

Yes No

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

Yes No

4. If you do intend to contest the action, in whole or in part, you must set out full particulars of your defence overleaf.

Service of Plaintiff is acknowledged accordingly.

Defendant's Signature

Dated this ____ day of _____, 2017

See 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 claimed)

Defendant's Signature

REMINDER - This form must be taken or sent to the Court office, PO Box 495 GT, George Town, Grand Cayman within 14 days of receipt otherwise a default judgement may be entered against you.