

No. 1
Plaint



IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 194 of 2017

BETWEEN:

Melita P. Ebanks



Plaintiff

AND:

Ricky Seymour



Defendant

To the Defendant

P O Box 368 Walkers Road George Town Grand Cayman
KY1-1107 Cayman Islands (Vampt Motors)

THIS PLAINT has been issued against your 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 495GT, George Town, 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 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 26 day of Sep. 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 Defendant is indebted to him or is liable to pay damages to him)

On 8th June 2017, Plaintiff paid the Defendant a sum of CI\$1,000.00 for the purposes of ordering a car part for the Plaintiff's vehicle. The Defendant indicated he would be forwarding the funds to a family member in Florida, USA to enable the purchase overseas. On the 9th June 2017, the money was sent abroad (as per the aforementioned). Unforeseen circumstances happened to the family member abroad, resulting in an untimely passing of the individual. Upon the Plaintiff trying to recoup the funds from the Defendant, the Defendant advised that as the family member in the USA is deceased, that he (the Defendant) was not liable to repay the money to the Plaintiff.

AND the Plaintiff claims:

- 1 The sum of CI\$1,000.00.
- 2 Interest in the sum of \$ _____ calculated at the prescribed rate from to date.
- 3 Fixed costs of \$ _____, alternatively costs to be assessed.



Plaintiff's Signature

Plaintiff's address for service

P.O. Box 67 Grand Cayman KY1-1401 Cayman Islands 51B Tropical Gardens, George Town, Grand Cayman CI
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No. 2

Acknowledgment of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 194 of 20 17

Between: Melita P. Ebanks

Plaintiff

AND: Ricky Seymour

Defendant

ACKNOWLEDGMENT 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 the Plaintiff is acknowledged accordingly.

Defendant's Signature

Dated this ____ day of _____, 20__

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 495GT, George Town, Grand Cayman within 14 days of receipt otherwise a default judgment may be entered against you.