

**No. 1**  
**Plaint**



IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 0013 of 2018

**BETWEEN:**

Allison Morris

Plaintiff



**AND:**

Charles Ross

Defendant

To the Defendant

Charles Ross  
Bronte Street  
Peas Bay  
Bodden Town, Grand Cayman, Cayman Islands,  
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 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            day of January, 2018

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).

I am filing this Plaintiff to recover money from a car that I purchased in the sum of four hundred dollars (C\$400.00).

- (1) These funds were obtained from the sale of a car that I had bought from a friend who left the island on roll over.
- (2) My husband and I were walking by Mr. Ross's home when we saw the car and I stopped and enquired about it. Mr. Ross told me that he just service the car and it was in perfect driving condition and it would only need body work so I told him that I would buy it from him.
- (3) I went to purchase the car from Mr. Ross with the sum of three hundred and fifty Dollars (C\$350.00) and that i would pay him the other \$50 the following weekend and he said okay but he will hold on to the papers for the car which was fine with me. The following week I went and paid him the balance o fifty dollars (C\$50.00) that I had for him.
- (4) Few weeks later i took the car for a test drive and I realized the car was shifting out of gear so I had a mechanic test the car out for me. The mechanic told me that the transmission in the car was not good and that it would cost a lot to fix it plus the body work on the car.
- (5) I went to Mr. Ross and told him that I would like him to give me back the money for the car because the transmission was not good and that I found a bottle of transmission oil in the trunk of the car so he must have known about the bad transmission.
- (6) Mr. Ross said that he wouldn't be able to pay me back in full so he would give me half the following weekend, then said to take the car back to him so he could check to see if it is just the same as when I got it from him and I agreed.
- (7) Before I took the car back to Mr. Ross I asked him when would I get back the money and he said to me that the most important thing is that I would get the money back. So I took the car back to him but he was at work so I left the car at his home, texted him and told him that I had taken the car back to his home.
- (8) He said that he looked at it and that I would get back the money I paid him but I still haven't gotten back even half.

(9) I saw Mr. Ross and his wife in the supermarket and asked him about my money and they 'kissed their teeth' and walk past me. So the following day I went to the police station to report it because I need my money.

And the Plaintiff claims:

- 1) The Sum of \$400.00
- 2) Fixed costs of \$150.00 + \$25.00 filing fee alternatively costs to be assessed.



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Allison Morris  
Plaintiff's Signature

Plaintiff's address for service

Charles Ross Tel: 927-3344 Bronte street Bodden town Grand Cayman, Cayman Islands.
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Filed by: The Applicant in Person, Allison Morris of No. 118 Kipling Street, Bodden Town, Grand Cayman, Cayman Islands, BWI.

**No. 2 Acknowledgment of Service**

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_\_\_ of 2016

Between:

Plaintiff

**Allison Morris**

AND:

**Charles Ross**

Defendant

ACKNOWLEDGMENT OF SERVICE

1 State Defendant's name and address -

**Charles Ross  
Bronte Street  
Peas Bay  
Bodden Town, Grand Cayman, Cayman Islands,**

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 not 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 24th day of January, 2018

**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.**

Filed by: The Applicant in Person, Allison Morris of No. 118 Kipling Street, Bodden Town, Grand Cayman, Cayman Islands, BWI.