

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

CAUSE NO. SC 55 OF 2018

BETWEEN:

CAMPBELLS

PLAINTIFF

AND:

SUZANNE MUISE

DEFENDANT



PLAINT



TO THE DEFENDANT:

Suzanne Muise
508 West Bay Road
West Shore Centre
Grand Cayman KY1-9006
Cayman Islands

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 the 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, George Town, Grand Cayman, KY1-1106 the accompanying Acknowledgment of Service stating therein whether you intend to contest this action. If you intend to defend this 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 to return the Acknowledgment of Service form containing full particulars of your defence, the Plaintiff may apply for a **default judgment** without further notice to you.

Issued this 5th day of April 2018.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

PARTICULARS OF CLAIM

1. The Plaintiff is a law firm providing legal services to the public.
2. At all material times the Defendant was a client of the Plaintiff.
3. At the request of the Defendant, the Plaintiff provided legal services to the Defendant.
4. The Plaintiff rendered the following invoices for legal services provided:
 - 4.1. Invoice 141033 dated 28 February 2017 in the amount of US\$11,495.25;
 - 4.2. Invoice 142271 dated 31 March 2017 in the amount of US\$2,121.59;
 - 4.3. Invoice 144095 dated 31 May 2017 in the amount of US\$1,087.50;
 - 4.4. Invoice 144858 dated 30 June 2017 in the amount of US\$1,393.00;
 - 4.5. Invoice 145500 dated 31 July 2017 in the amount of US\$2,606.25;
 - 4.6. Invoice 146619 dated 25 September 2017 in the amount of US\$173.75;
 - 4.7. Invoice 148024 dated 21 November 2017 in the amount of US\$15,637.50; and
 - 4.8. Invoice 148524 dated 30 November 2017 in the amount of US\$1,790.58.
5. Payments of the first six invoices were made in full and a part payment of invoice 148024. The amount of US\$15,208.08 remains payable by the Defendant to the Plaintiff for legal services provided.

PARTICULARS OF ACCOUNTS RENDERED AND PAID

Date	Description	Amount	Balance	Interest Start Date	Interest End Date	Days	Daily Rate	Interest
11/21/2017	Invoice 148024	US\$15,637.50	US\$15,637.50	11/21/2017	2/26/2018	97	US\$3.64	US\$353.24
2/26/2018	Payment	-US\$2,220.00	US\$13,417.50	2/27/2018	4/5/2018	37	US\$3.12	US\$115.61
Total Interest								US\$468.85
Total Principal and Interest								US\$13,886.35

THIS PLAINT is issued by Campbells, Attorneys-at-Law for and on behalf of the Plaintiff, whose address for service is Floor 4 Willow House, Cricket Square, George Town, Grand Cayman (Ref: JAS/16068-26277).

Date	Description	Amount	Balance	Interest Start Date	Interest End Date	Days	Daily Rate	Interest
30/11/2017	Invoice 148524	US\$1,790.58	US\$1,790.58	11/30/2017	4/5/2018	126	US\$0.12	US\$14.68
Total Interest								US\$14.68
Total Principal and Interest								US\$1,805.26
Grand Total								US\$15,691.61

AMOUNT OUTSTANDING US\$15,208.08

Total Interest due as at the date of this Plaint US\$483.53

6. The Plaintiff has made formal written demand for payment of all sums due on 23 March 2018. Despite demand the Defendant has failed to pay the amount due to the Plaintiff.
7. The Plaintiff therefore claims the sum of US\$15,208.08 in payment of the accounts rendered plus interest in the sum of US\$483.53 up to the date of this Plaint and accruing thereafter at a daily rates indicated in the above table pursuant to Section 34(1) of the Judicature Law (2007 Revision).

STATEMENT REGARDING INTEREST

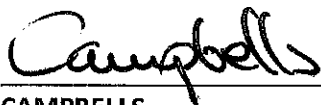
8. Interest calculations on the legal services provided:
 - 8.1. Interest calculated at 23% per annum.
 - 8.2. As at 5 April 2018 total interest accrued amounts to US\$483.53.
 - 8.3. Interest continues to accrue from 5 April 2018 thereafter at the daily rates indicated in the above table until payment.

AND THE PLAINTIFF CLAIMS:

1. Judgment in the sum of US\$15,208.08;

2. Interest in the sum of US\$483.53 up to the date of this Plaint and accruing thereafter at the daily rates indicated in the above table pursuant to Section 34(1) of the Judicature Law (2007 Revision);
3. Costs; and
4. Such further and/or relief as this honourable Court deems appropriate.

If within the time for returning the acknowledgment of service the Defendant pays the total amount claimed of US\$15,208.08, plus interest and costs, further proceedings will be stayed. The funds must be paid to the Plaintiff.



CAMPBELLS

Attorneys-at-Law for the Plaintiff

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

CAUSE NO. SC OF 2018

BETWEEN: CAMPBELLS PLAINTIFF
AND: DR SUZANNE MUISE DEFENDANT

ACKNOWLEDGEMENT OF SERVICE

1. State Defendant's name and address -

2. State whether the Defendant intends to contest the action (*tick appropriate box*)

yes

no

3. If you do not intend to contest the action, do you want time in which to pay the claim? (*tick box*)

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 Plaint is acknowledged accordingly

Defendant's Signature

Dated this ___ day of _____ 2018

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

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.

Campbells
Attorneys-at-Law
PO Box 884
Floor 4, Willow House
Cricket Square
George Town, Grand Cayman
Ref: JAS/16068-26277

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]

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE

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

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

2. A Defendant who states in his Acknowledgment 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 indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, 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 Acknowledgment, 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 over for notes for guidance

NOTES FOR GUIDANCE

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been 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 Writ of Summons*)".
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 firm 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 authorised to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on his 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. A Defendant acting in person may obtain help in completing the form at the Courts Office.