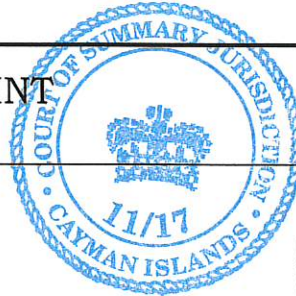




PLAINT



IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO. SC 177 OF 2018

BETWEEN: Morris Garcia PLAINTIFF  
AND: Dunia Zelaya DEFENDANT

TO: Dunia Zelaya  
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's Office, P.O.Box 495, Grand Cayman, the accompanying Acknowledgment of Service form stating therein whether you intend to contest this action. If you intend to contest 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 further notice to you.

Issued this 15 day of August 2018.

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PARTICULARS OF CLAIM

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1. The plaintiff is a sole legal practitioner licensed to practice law in the Cayman Islands.
2. The defendant lives in George Town and is and was at all material times a client of the plaintiff.
3. The Defendant agreed to rent an apartment from the plaintiff .The agreement provided, inter alia, that she was liable for the payment of all utilities incurred therein during the term of the lease.
4. The defendant vacated the apartment leaving arrears of utilities, ie light and water, which, after the deduction of her security deposit left sums owing by her of CI\$400.00.
5. That despite promises to pay this amount, the defendant has failed/refused to do so since March 2018.
6. That in the premises the plaintiff has suffered loss and damage and seeks and is entitled to the relief sought herein.

**WHEREFORE THE PLAINTIFF CLAIMS FROM THE DEFENDANT**

- a) Damages in the sum of CI\$400.00
- b) Fixed costs of CI\$150.00 plus filing fees or costs to be assessed.
- c. Pre- and Post Judgment interest from July 23<sup>rd</sup> , 2018 to date of full payment at the prescribed rate of 2 3/8% per annum pursuant to the Judicature Law ( 2013 Revision) and the Judgment Debts( Rates of Interest )Rules, as amended from time to time
- d. Such further and/or other relief as the Honourable Court deems just.

DATED this 20 day of August 2018

  
Morris Garcia

## STATEMENT REGARDING INTEREST

1. Interest is claimed from the date of filing of the Plaintiff. \*
2. Rate of Interest is  $2 \frac{3}{8}\%$  per annum.
3. The amount of interest accruing each day from the issue of the Plaintiff is CI\$0.03 cents per day. \*



**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).

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Defendant's Signature

REMINDER- This form must be taken or sent to the Court Office, P.O.Box 495, GT, Grand Cayman within 14 days of receipt, otherwise Default Judgment may be entered against you.