

No. 1
Plaint



IN THE SUMMARY COURT AT GEORGE TOWN

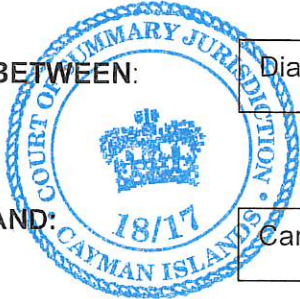
Cause No. SC 121 of 2019

BETWEEN:

Diana M. Linton

Plaintiff

AND:



Carlus Kelly

Defendant

To the Defendant



Pines Dr., George Town – Mr. Kelly operates his mobile car washing business on this street, between the main entrance to the emergency room at George Town Hospital and the Pines Retirement Home.

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 Plaint 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 our **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 3rd day of Jun 2019

See overleaf for particulars of the Plaintiff's claim

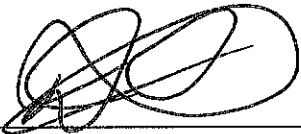
PARTICULARS OF CLAIM

(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).

1. February 2018 the Plaintiff rented a room to the Defendant, located at 52 Wicker Lane, Smith Road Villas, George Town. Rent was \$600 per month. Please see attached copy of rental agreement.
2. The Defendant vacated the premises on the 29th January 2019, owing over \$4258 in rent.
3. Late fees at \$10 per day from April – January, in the sum of \$2930.
4. Cleaning of his bedroom and common area at a cost of \$25 per month for 8 months which is equal to \$200.
5. Recovery of cost to file this claim. Please see attached receipts.
6. The Defendant has acknowledged owing me monies. Please see attached copy of police record.
7. The Defendant has paid \$600 on February 10th, 2019. Please see copy of attached receipt.
8. I have tried to collect the rest of the money owing to me but have not been successful in doing so.
9. I am seeking the courts help in recovering monies owed to me the Plaintiff by the defendant.

AND the Plaintiff claims:

- 1 The sum of \$6,788.00.
- 2 Interest in the sum of \$272.45, calculated at the prescribed rate from April 2018 to date and continuing.
- 3 Cost to be taxed or agreed.



Plaintiff's Signature

(328-3250)

Plaintiff's address for service

52 Wicker Lane Smith Road Villas George Town Grand Cayman
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No. 2

Acknowledgment of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC _____ of 20__

Between:

Diana Linton

Plaintiff

AND:

Carlus Kelly

Defendant

ACKNOWLEDGMENT OF SERVICE

1 State Defendant's name and address -

Carlus Kelly - Pines Dr., George Town – Mr. Kelly operates his mobile car washing business on this street, between the main entrance to the emergency room at George Town Hospital and the Pines Retirement Home.

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 _____ day of _____, 20__

See Overleaf