

IN THE SUMMARY COURT AT GEORGE TOWN

CAUSE NO: SC 212 OF 2019

BETWEEN:

HSM CHAMBERS (A FIRM)

Plaintiff

AND

CENDANT LIFE EXTENSION AND STEM CELL CENTER LTD.

Defendant



PLAINT



TO:
Cendant Life Extension
c/o HSM Corporate Services Ltd.
68 Fort Street, George Town
P.O. Box 31726
Grand Cayman, 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 service of this Complaint on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495 GT, George Town, Grand Cayman, the accompanying Acknowledgement of Service 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 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 any further notice to you.

Issued this 30 day of October 2019

See overleaf for particulars of the Plaintiff's claim

PARTICULARS OF CLAIM

1. The Plaintiff is and was at all material times a company organised and carrying on business pursuant to the laws of the Cayman Islands. The Plaintiff's address for service is HSM Chambers, 68 Fort Street, George Town, P.O. Box 31726, Grand Cayman, KY1-1207, Cayman Islands.
2. The Defendant is and was at all times a company organised and carrying on business pursuant to the laws of the Cayman Islands. The Defendant's registered office is HSM Corporate Services Ltd. P.O. Box 31726, #68 Fort Street, George Town, Grand Cayman, Cayman Islands.
3. On or around 20 February 2018, the Defendant company engaged the Plaintiff to provide advice and assistance in relation to a Trade and Business license.
4. On or around 12 February 2019, an email was sent to the Defendant attaching Invoice #4264778 for their attention and payment for the services rendered, the details of which were as follows:

<u>Invoice No</u>	<u>Amount</u>	<u>Date Issued</u>
4264778	US\$3,435.71	12 February 2019

5. The invoice contained the following terms:
 - a. *"Please kindly note that payment is due immediately and must be made within 14 days. Subject to local regulations or restrictions, we reserve the right to add interest at the rate of 10% per annum to any outstanding balance not settled within 14 days of our invoice being rendered."*
6. Several requests for payment were sent by email to the Defendant on 22 March 2019 and 2 April 2019. On or around 15 April 2019, the Defendant acknowledged receipt of the emails in relation to the outstanding invoice and confirmed that they will make arrangements to settle the invoice as soon as possible.
7. On or around 13 May 2019, 12 June 2019 and 11 July 2019, several follow up emails were sent to the Defendant requesting payment of the outstanding invoice.

8. On or around 15 October 2019, a final demand was sent to the Defendant for payment of the outstanding invoice within 7 days of the date of the email failing which court proceedings would be issued for the outstanding sums due.
9. The Defendant failed to pay the invoice as and when due and as of the date of the commencement of these proceedings, the Defendant owes to the Plaintiff the principal sum of US\$3,435.71 with interest of US\$230.62 from 26 February 2019 to 29 October 2019 and continuing to accrue at the rate of 10% per annum, being US\$0.94 per day.
10. As a result of the above, the Plaintiff is entitled to the relief claimed in this proceeding.

AND THE PLAINTIFF claims:

- a) US\$3,662.56 being the principal sum due as at 29 October 2019.
- b) Pre and post judgment interest from calculated from 26 February 2019 to 29 October 2019 in the sum of US\$230.62 and continuing at the rate of US\$0.94 per day;
- c) Costs in accordance with the Summary Court Rules 2004;
- d) Such further and other relief as this Court may deem just.



HSM Chambers
Attorneys for the Plaintiff

INDORSEMENT

The principal amount claimed in respect of the debt is US\$3,662.56 as of the date of filing. The amount of the filing fees to commence the proceeding is CI\$25.00 (US\$30.49). If, within the time for returning the acknowledgement of service, the Defendant pays the Plaintiff or its attorneys-at-law the total amount claimed in principal and the costs of issuing the Plaint, further proceedings will be stayed. The money must be paid to the Plaintiff or to its attorneys-at-law.

INDORSEMENT REGARDING INTEREST

1. The contractual term upon which interest is claimed is as set out in paragraph 8 above.
2. The prescribed rate of interest is 10% per annum.
3. The date from which interest is payable is from 26 February 2019.
4. The amount of interest accruing due each day is US\$0.94 per day.

This Plaint was filed by HSM Chambers, Attorneys-at-Law for the Plaintiff whose address for service is 68 Fort Street, George Town, PO Box 31726, Grand Cayman, KY1-1207, Cayman Islands (ref: 418107.0030)

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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.

Dated this day of 2019

Defendant's Signature
See overleaf

PARTICULARS OF DEFENCE

1. *[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]*

Defendant's Signature

REMINDER -This form must be taken or sent to the Court Office, P.O. Box 495, Grand Cayman KY1-1106 within 14 days of receipt otherwise a default judgment may be entered against you.