

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

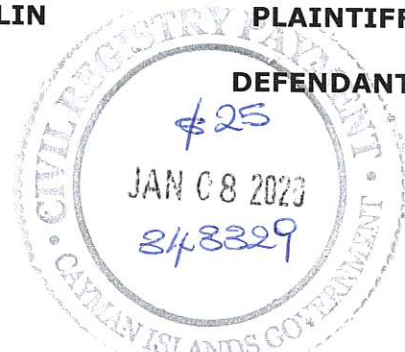
CAUSE NO. SC 4 OF 2019²⁰

BETWEEN: FERNANDO MCLAUGHLIN PLAINTIFF

AND: JOHN C. BODDEN DEFENDANT

PLAINT

To: John C. Bodden
PO Box 1270
Grand Cayman KY1-1503



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 Office, P.O. Box 495, 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 *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 any further notice to you.

Issued this 7th day of January 2020

See overleaf for particulars of the Plaintiff's claim.

PARTICULARS OF CLAIM

1. On 25 March 2017 the Plaintiff and Defendant entered into a written agreement for the rental of the Plaintiff's property at John McLean Drive, East End ("the Property") to the Defendant for the sum of CI\$1,000.00 per month ("the Rent").
2. Payment of the Rent was to be paid by the Defendant to the Plaintiff on the 1st day of each month. It was also agreed that the Defendant pay all costs incurred by the Water Authority and Caribbean Utilities Company.
3. The Defendant vacated the Property on 5 August 2018. At that time the following Rent was owed by the Defendant to the Plaintiff:
 - 3.1. April CI\$1,000.00
 - 3.2. May CI\$1,000.00
 - 3.3. June CI\$1,000.00
 - 3.4. July CI\$1,000.00
 - 3.5. August CI\$164.40 (pro rated)
4. The Defendant also vacated the Property without paying the following utility bills:
 - 4.1. CUC CI\$490.71
 - 4.2. Water CI\$556.88
5. On 19 December 2018 the Plaintiff's attorneys sent a letter of demand to the Defendant by email.
6. Despite repeated demands by the Plaintiff, the Defendant has failed or refused to make payment of the Rent due to the Plaintiff.
7. As at 7 January 2020 2019 the Defendant is indebted to the Plaintiff in the amount of CI\$5,431.07, including interest.

STATEMENT REGARDING INTEREST

8. The Plaintiff seeks pre and post judgment interest from the date that the said sum became due at the rate of 2 $\frac{3}{8}$ % per annum on sum due and owing until payment and in accordance with the provisions of the Judicature Law (2017 Revision) and the Judgment Debt (Rates of Interest) Rules as amended from time to time.
9. Interest is claimed from the 1 April 2018 being from the date of the Rent due to the Plaintiff.

10. The amount of interest owing at date of issue of this Plaint is CI\$219.08.
11. The amount of interest accruing each day following the issue of this Plaint is CI\$0.34.

AND THE PLAINTIFF CLAIMS:

1. The said sum of CI\$5,211.99.
2. Pre and post judgment Interest on the said sum in accordance with the terms of the agreement and the Judicature Law (2017 Revision) and the Judgment Debt (Rates of Interest) Rules as amended from time to time in the amount of CI\$219.08, continuing at the daily rate of CI\$0.34 until payment.
3. Costs or alternatively fixed costs in the sum of CI\$500.00 plus filing fees and bailiff's fee for service.

If within the time for returning Acknowledgement of Service the Defendants pay to the Plaintiff Attorneys-at-Law the total amount claimed of CI\$5,211.99 (together with interest and costs of CI\$500.00) all further proceedings will be stayed.

Dated this 7th day of January 2020

Filed this day of January 2020

CSG

KSG

Attorneys for the Plaintiff

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

CAUSE NO. SC

OF 20²⁰19

BETWEEN:

FERNANDO MCLAUGHLIN

PLAINTIFF

AND:

JOHN C. BODDEN

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 defense overleaf.

Service of the Plaint is acknowledged accordingly.

Defendant's Signature

Dated this day of , 2020

See Overleaf

PARTICULARS OF DEFENCE

(Here set out in numbered paragraph 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, PO Box 495, George Town, Grand Cayman within 14 days of receipt otherwise a default judgment may be entered against you.