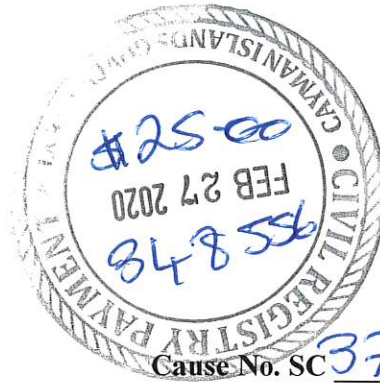




No. 1

Plaint

IN THE SUMMARY COURT AT GEORGE TOWN



Cause No. SC 37 of 2020

BETWEEN: NSN (CAYMAN) LTD

Plaintiff

AND: RICHARD ORR T/A BLUE WATER EXCURSIONS

Defendant



To the Defendant

RICHARD ORR T/A BLUE WATER EXCURSIONS

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 Plaintiff 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 Acknowledgement 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 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 judgement** without any further notice to you.

Issued this 27 day of February, 2020.

See overleaf for particulars of the Plaintiff's claim

PARTICULARS OF CLAIM

1. The Defendant published tourist magazines in association with the Cayman Islands Hotel Association entitled "*Visit Cayman*" and "*Maps of Cayman*" as well as displaying hotel lobby video displays entitled "*Video Cayman*" and contracted with the Plaintiff for advertising space under three separate contracts.
2. Contract # 3333 executed on 9th May 2017 was for an advertisement in the November 2017 issue of "*Visit Cayman*" which was contracted at the net price of CI\$950 of which CI\$250 was paid upon signing the contract and the balance of CI\$700 to be paid in two separate instalments on 1st October 2017 and 1st November 2017, each of CI\$350.
3. Contract # 3256 executed on 31st May 2017 was for an advertisement in the November 2017 issue of "*Maps of Cayman*" which was contracted at the net price of CI\$650 of which CI\$250 was paid upon signing the contract and the balance of CI\$400 to be paid in two separate instalments on 1st October 2017 and 1st November 2017, each of CI\$200.
4. Contract # 3330 executed on 31st May 2017 was for an advertisement in the November 2017 year for "*Video Cayman*" which was contracted at the net price of CI\$1,000 which was to be paid in two separate instalments on 1st October 2017 and 1st November 2017, each of CI\$500.
5. The total amount payable for the three contracts above was CI\$2,600.
6. All contracted advertisements were published in accordance with the contract.
7. The Defendant made a total of two payments against the three contracts – one payment of CI\$500 on 2nd June 2017 and a further payment of CI\$1,050 on 30th November 2017. A balance of CI\$1,550 remains outstanding which was originally due on 1st November 2017.
8. The total amount owed by the Defendant under all three contracts stands at CI\$1,550.
9. Following numerous attempts to contact and engage with the Defendant regarding the above debts, the Plaintiff served notice to the Defendant on 14th February 2020 by registered post informing him that he was the matter would proceed to court if the debt remained unpaid after seven days. No response was received to that Notice.
10. Copies of the Notice, the advertising contracts and statements showing payments received under each contract are attached.
11. The Plaintiff claims for non-payment of advertising charges totalling CI\$1,550 as at the date of filing.

AND the Plaintiff claims :

1. The Principal amount of CI\$1,550.
2. Interest at the rate of 2 $\frac{3}{8}$ % per annum, compounded, on all the balance claimed from due date to the date of judgement.
3. Fixed costs to be assessed.

Dema Jackson

Plaintiff's Signature

Plaintiff's Address for service

4th Floor, Cardinal Plaza, Cardinal Avenue,
PO Box 133GT, George Town
Grand Cayman, KY1-1101

No. 2

Acknowledgement of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC ___ of 2020

BETWEEN: NSN (CAYMAN) LTD Plaintiff

AND: RICHARD ORR T/A BLUE WATER EXCURSIONS Defendant

ACKNOWLEDGEMENT OF SERVICE

1. State Defendant's name and address –

RICHARD ORR T/A BLUE WATER EXCURSIONS
PO BOX 260
WEST BAY
GRAND CAYMAN, KY1-1301

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.

Defendant's Signature

Dated this ____ day of _____, 20__.

See overleaf



NSN (CAYMAN) LTD.
P.O. Box 133, George Town,
KY1-1101, Grand Cayman, B.W.I.
Tel.: (345) 949-7282
Fax.: (345) 949-7538
Email: caymann@northsouthnet.com

Laura Clemens
Blue Water Excursions
PO Box 260
Grand Cayman, KY1-1301

14th February 2020

Dear Ms. Clemens,

Our records indicate an outstanding balance of CI\$1,050 which is long overdue in respect of advertising for *Visit Cayman* magazine, *Maps of Cayman* magazine and *Video Cayman* products. This balance is arrived at as follows:

Advertising Contracts (#3256,3330,3333 – all attached):	\$ 2,600
Payments received:	
Deposit paid June 2 nd 2017 (cash):	\$ 500
Payment dated November 30 th (cheque # 409):	<u>\$ 1,050</u>
Total Payments Received:	\$ 1,550
Balance Owed:	\$ 1,050

We have made numerous attempts to collect this debt and cannot tolerate any further delays in payment.

Please be advised that unless payment is received on or before 21st February 2020 that the matter will be referred to court and appropriate court fees, interest and collection costs imposed.

Payment is to be made to "NSN (Cayman) Ltd" and remitted to the above address before 21st February 2020.

Sincerely

Peter Savill
President

NSN (CAYMAN) LTD
 Advertising Contract

PO Box 139, Grand Cayman, KY1-1101
 Cayman Islands, W.I.

Tel: 345-949-7282

Email: cayman@northsouthnet.com

3333

Advertiser: Blue Water Excursions

Contact Person: Laura & Richard Orr

Address: P.O. Box 260, KY1-1301

Telephone: 925-8738

Email: bluewaterexcursions@northsouth.com

DATE	DESCRIPTION	AMOUNT	REMARKS
NOV 2017	MAP AD		"On the Water" next to "Deep Sea Fishing editorial "Name & Number" bolded
AD INSTRUCTIONS: <u>All supplied by client</u>			
EDITORIAL INSTRUCTIONS: <u>50 words supplied by client</u>			
EDITORIAL INSTRUCTIONS: <u>Must be signed by a Principal</u>			
EDITORIAL INSTRUCTIONS: <u>July 15, 2017</u>			

*Positions are requested only and not guaranteed unless the surcharge of 15% has been added and shown on the contract. Terms: All space rates are in C.I. Dollars unless indicated and are based on composed film supplied by the Advertiser. This Advertising Contract is subject to all of the Advertising Terms and Conditions printed on the reverse side of this page which are incorporated in full by reference. No representations or promises are binding by the Publisher unless specifically incorporated herein in writing.

Signed by ADVERTISER: [Signature]
 Name (BLOCK CAPITALS): ANITA LEMMONS
 Signed by SALES REP: [Signature]
 Approved by NSN Finance: [Signature]
 Date: May 09, 2017

TOTAL GROSS:	Ci\$ 1,250
TOTAL NET:	Ci\$ 950
TOTAL DEPOSIT:	Ci\$ 250
BALANCE PAYABLE:	Ci\$ 700

January	20	Ci\$
February	20	Ci\$
March	20	Ci\$
April	20	Ci\$
May	20	Ci\$
June	20	Ci\$
July	20	Ci\$
August	20	Ci\$
September	20	Ci\$
October	1, 2017	Ci\$ 350
November	1, 2017	Ci\$ 350
December	20	Ci\$

NSN (CAYMAN) LTD

Advertising Contract

PO Box 133, Grand Cayman, KY1-1101

Cayman Islands, W.I.

Tel: 345-949-7282

Email: cayman@northsouthnet.com

3256

Advertiser: Blue Water Excursions.

Address: P.O. Box 260 KY1-1301

Contact Person: Allen & Richard Orr

Telephone: 925-6738

Email: bluewaterexcursions@hotmail.com

PUBLICATION	STARTING DATE	ISSUE	AD SIZE / YR	NSN/ARTS
MOPS MAGAZINE	AN	2017	map ad.	Net Buy Map ad.
REPEAT SCHEDULING AD? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> (P.N. (PRINTED) REQUIRED) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>				
AD INSTRUCTIONS: <u>ad supplied by client.</u>				
SPECIAL ADVERTISING REPRESENTATIVE: <u>MAURINE GUN</u>				
SPECIAL INSTRUCTIONS: <u>50 words supplied by client.</u>				

TOTAL GROSS: CI\$ 1250.

TOTAL NET: CI\$ 650.

TOTAL DEPOSIT: CI\$ 250.

BALANCE PAYABLE: CI\$ 400.

January	___ 20	CI\$
February	___ 20	CI\$
March	___ 20	CI\$
April	___ 20	CI\$
May	___ 20	CI\$
June	___ 20	CI\$
July	___ 20	CI\$
August	___ 20	CI\$
September	___ 20	CI\$
October	<u>1</u> 20 <u>17</u>	CI\$ <u>200</u>
November	<u>1</u> 20 <u>17</u>	CI\$ <u>200</u>
December	___ 20	CI\$

*Positions are requested only and not guaranteed unless the surcharge of 15% has been added and shown on the contract. Terms: All space rates are in C.I. Dollars unless indicated and are based on composed film supplied by the Advertiser. This Advertising Contract is subject to all of the Advertising Terms and Conditions printed on the reverse side of this page which are incorporated in full by reference. No representations or promises are binding by the Publisher unless specifically incorporated herein in writing.

Signed by ADVERTISER: Bura Memon
 Must be signed by a Principal
 Name (BLOCK CAPITALS): ANITA CLEAVENS
 Signed by SALES REP: Cindy Dethmold
 Approved by NSN Finance: _____
 Date: May 31, 2017