

PLAINT



IN THE SUMMARY COURT AT GEORGE TOWN

Cause No.: SC ⁴⁴ OF 2020

BETWEEN - Lutchman Bhim
916-7463

AND - Lee Seymour
917-8103 / 927-2555
Sitwell Road, Bodden Town



Plaintiff

Defendant

To the Defendant - Lee Seymour

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 date of service, you must either satisfy the claim or return to the Court Office, PO Box 495, Grand Cayman KY1-1106, the accompanying Acknowledge 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 judgment** without any further notice to you.

Issued this *16* day of *MARCH* 2020

See overleaf for particulars of the Plaintiff's claim.

PARTICULARS OF CLAIM

On January 11, 2020 around 5AM the Defendant said while driving in the direction to George Town when his boat un-hitched from his Vehicle and smashed thru my gate and continued thru my yard until it also smashed the back chain link fence that stopped the boat. He said he rang the doorbell, but I did not hear it. He did return later that morning about 7:30 AM to say what had happened. At this time i did not know or see the damage or the Boat as he had removed it from the property, he did not call 911 to report the incident. I did not call 911 either because of his gesture to come back to say what had happened. Also, I know him by face working in construction. We exchanged information and he assured me the wall, gate and fence will be fixed promptly. And will be done by the end of the month. I took him at his word. by January 11th, I heard nothing more from him, so I called him and texted him on January 22 and 23. for a follow up, he said he was waiting to get paid. I called him at the end of January the 31st. I finally made a report to the Bodden Town Police Station, PC 317 Floyd Anderson RMS Number 2020-004111. the officer call him by phone to ask about what had happened, he also said the damages will be fixed soon so I left it there. I call him several times in February, last call was March 3rd. every time I call he keeps saying it will get done, or he is waiting on money from a job or from his boss, at one point he said Hyde's & Sones was making the gate but this was not true. He said he has a friend that can fix the fence, but he is in Jamaica so as soon as he comes back the fence will be fixed. The fence is still not fixed. I recommended 2 companies to him to get prices. he never contacted them. He keeps giving me the run around. If I don't call him, he does not call me to say anything. Last conversation on March 3rd which was a Tuesday he said we will be getting some money on Friday and will call me. he never called. All I want is the damages to my property properly fixed professionally and returned back to how it was.

Damages are:

- Broken front wall
- Smashed front Gates
- Smashed back chain link fence, concrete curb and privacy slats


Listed below are the repairs to be done:

1. Patch and repaint the concrete wall to match the existing finish
2. Replace the gate with a new gate to match and return to function as it was
3. Replace the chain link fence, curb, and the privacy slats to match the existing

AND the Plaintiff claims:

1 The sum of \$5,048.35

- 2 Interest in the sum of \$ 0
- 3 Fixed costs of \$ 5,048.35, alternatively costs to be assessed.



Plaintiff

BHEM@ADVANCEFERE-LTD-COM
916-7463

Plaintiff's address for service

2451 Shamrock Rd. Lower Valley
Bodden Town.



HYDES & SONS
 P.O. Box 10184
 Grand Cayman KY1-1002
 Tel: 345-949-7082 / Fax: 345-949-3635
 Email: service@hydessoons.ky
 Website: www.hydessoons.ky

ESTIMATE

Rep	Date	Quote #
CH	2/17/2020	23652

Customer
Lutchman Bhim P. O. Box 93 Grand Cayman KY1-1301 916-7463 lutchmanbhim@candw.ky

Ship To
#24 Penn Lane West Bay Caribbean Lane then to Penn Lane

Part No.	Description	Qty	Price	Total Amount
GATE	GATE To fabricate and install gates for the following specs: Type (swinging): Measurements: 20ft Color: White Design/Style: Arch Top	1	3,900.00	3,900.00
Disc 10%	10% Off List Price		-390.00	-390.00

****ESTIMATES ARE GOOD FOR 30 DAYS***

****FULL PAYMENT requires to estimates amounting to CI\$1,000.00 and below before work starts.***

****A 50% DEPOSIT is required on estimates above CI\$1,000.00 before work starts and 25% when half of the job has been completed and balance immediately upon completion of work.***

Pay Online at Cayman National Bank
 Account Name: Hydes & Sons Ltd.
 CI Account No. 011-06486
 US Account No. 021-03691
ALL PRICES ARE IN CI / KYD AMOUNT

Total Amount \$3,510.00



Box 1273
 Grand Cayman KY1-1108
 TEL: (345) 946-3191

Estimate

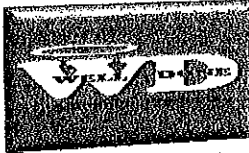
Date	Estimate #
2/18/20	5882

Name / Address
Bhim Lower Valley

Project

Description	Total
Re: Fence Repairs	
Tubing Post 1 5/8"x 8'(18)	45.75
Top Rail 1 3/8"x21' (.18)	56.50
Vinyl Green Chainlink Fabric-6' (2x9x72)	210.00
Privacy Fence Weave (40 sq.ft)	252.00
Curb Blocks	61.95
Fencing Materials/Fittings	24.65
Labour Cost	487.50
FENCE SPECIFICATIONS:	
Type- Residential/Chain Link Fence	
End Posts- N/A	
Line Posts- 1 5/8" Galvanize Tubing	
Top Rail - 1 3/8 Galvanize Tubing	
Mesh- Green Vinyl Chain Link Fence 9ga	
Height-6ft	
Bottom Rail- N/A	
Gate- N/A	
SCOPE OF SERVICES:	
To supply & replace 3 line posts/2 Top Rails/ 1 Roll Of chain link mesh/3 Curb blocks	
To supply & replace 20LF of privacy slats inserts	

Thank you for choosing Spartan Fencing!	Total	\$1,138.35
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Well Done
 Aluminum Products
 P.O. Box 30792 SMB
 Grand plaza unit #9
 29 Howard Street
 Grand Cayman KY1-1204
 Telephone: /345-939-6116
 or 345-546-1473

Date: February 18 2020
 quote #:001bhim

"Where our name says it all" we look forward to serving yo

To:

Lutchman Bhim
 Lower Valley
 2451 Shamrock road
 phone 345 916-7463

E-mail -lutchmanbhim@candw.ky

50ft	Green chainlink fence 6 hight	\$	-	\$	750.00
3.00	crave wall	\$	-	\$	350.00

This Price is to remove existing
 damage fence and replce new ones

THIS ESTIMATE IS GOOD FOR 30 DAYS FROM ABOVE DATE

Subtotal \$ 1,100.00
 Down payment \$ 660.00
 Total \$ 440.00

Thank you for your business!

00175

Lucilo Benito
Tel: (345) 517-9668

Rainer Benito
Tel: (345) 329-3161



ESTIMATE WORK ORDER INVOICE

Quan	Part No. and Description	Price

	Paint and Insulation Included.	
	* White Glas.	

Name Lutchman Bhim Date 12/02/2020

Address 2451 SHANROCK SAUVANAL

Phone 916 7463 Email _____

Scope of Work

GATE

RAILING

STAR RAILING

OTHER WORK

20 feet gate

* (20 feet - 3.8 color side - 5' center)

Estimate made by Rainer Benito

I am the Owner or Owner's Authorized Agent of the property. I hereby instruct you to complete the work listed in the Scope of work section and hereby agree to pay for the work and accept the terms and conditions as set out on this work order.

Signature: _____ Date: _____

Acceptance of Completed Work Statement

I am the Owner or Owner's Authorized Agent of the property. I have inspected the completed work and accept its quality and timely delivery.

Signature: _____ Date: _____

Total Labor	<u>1700.00</u>
Total Parts	<u>1800.00</u>
Total Contract	<u>3500.00</u>
Downpayment	<u>-50%</u>
Balance	<u>1750.00</u>















Acknowledgement of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No.: SC OF 2020

BETWEEN - Lutchman Bhim

Plaintiff

AND - Lee Seymour

Defendant

ACKNOWLEDGEMENT 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 intent to contest the action, in whole or in part, you must set out full particulars of your defence 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 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.)

Defendant's Signature

REMINDER-

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