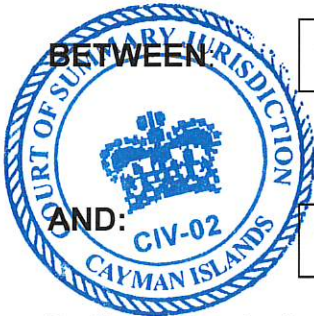


**No. 1
Plaint**



IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 49 of 2020



Shamala Miller

Plaintiff

Carla Joseph

Defendant

To the Defendant

Name: Carla Joseph
Address: 199 Eastern Avenue
George Town
Grand Cayman



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, 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 out 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 03 day of March, 2020

See overleaf for particulars of the Plaintiff's claim

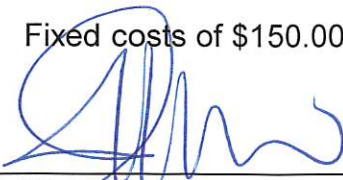
PARTICULARS OF CLAIM

(Here set out in numbered paragraphs, the grounds upon which the Plaintiff claims that the Defendant is indebted to her or is liable to pay damages to her).

1. On April 9, 2019, Carla Joseph (Defendant) borrowed a sum of CI\$ 5,000 to aid with her start up business venture – High Fashion and Design Studio, located on 199 Eastern Avenue. I agreed to enter into the agreement, as she promised to commence repayment in August 2019. On June 11, 2019, the Defendant approached me again and borrowed a sum of CI\$1,500. She again agreed to commence repayment of CI\$6,500.00 in the month of August 2019.
2. When asked how the funds will be repaid, she outlined that she has two (2) apartments that are rented on the island and that, along with the income from the business will be more than able to repay the loan. She also mentioned that her husband would step in if things do not work as planned.
3. I have made several attempts since August 2019 for repayment; however, the Defendant blocked me from all form of communication. On December 03, 2019, I approached her at the business place to find out how and when will I received repayment – this did not brought much success as the Defendant refused to engaged in conversation regarding my funds and only gave me **KYD 300.00 on said date.**
4. I also made a report at the George Town Police station on 03 December 2019 regarding the funds. When contacted by the police on duty, her comment was *“why are you calling me, I have already given her CI\$300.00 – as a matter of fact do you have any idea who my husband is?”* The officer then informed me on how to proceed regarding collection via the courts as clearly; I will not receive my money by just being “nice and polite”.
5. Since that date, several attempts were made again (and again), however; I have not received any communication from the Defendant – even up to the date of this claim. I also contacted her husband, Gerald Joseph, who is the Senior Inspector at the RCIPS, regarding the funds but still my attempts for collecting the funds have been futile. In addition to that, many of messages have remained unanswered for weeks.
6. Currently, my husband is out of a job and I will be going on unpaid leave soon. I also have planned surgery as I am expecting a child in a few months, loan repayments and other expenses that I have fully outlined to the Defendant. As such, in light of that, I am demanding **full repayment of CI\$6,200 plus fixed cost** by said time as outlined in the Plaint.
7. Documentation verifying this debt can be provided upon request.

AND the Plaintiff claims:

- 1 The sum of CI\$ 6,200.00
- 2 Fixed costs of \$150.00 + \$25.00 filing fee alternatively costs to be assessed.



Plaintiff's Signature

Plaintiff's address for service

Name: Shamala Miller

Address: Powell Smith Road
West Bay
Grand Cayman

Filed by: The Plaintiff in Person, **Shamala Miller**, whose address for service and correspondence is 262 Powell Smith Drive, P.O. Box WB, GC KY1-1302, Cayman Islands. Email: shamala.miller@hotmail.com & Telephone: 345-323-4465.

No. 2

Acknowledgment of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC _____ of 2020

BETWEEN:

Plaintiff

Shamala Miller

AND

Defendant

Carla Joseph

ACKNOWLEDGMENT OF SERVICE

1 State Defendant's name and address -

Name: Carla Joseph
Address: 199 Eastern Avenue
George Town
Grand Cayman, Cayman Islands

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 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 495GT, George Town, Grand Cayman within 14 days of receipt. Otherwise, a default judgment may be entered against you.