



No. 1  
Plaint

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 53 of 20 20

BETWEEN:

SAMUEL EZEKIAL THOMAS

AND:

DERRICK ALBERT BODDEN  
SAXON INSURANCE



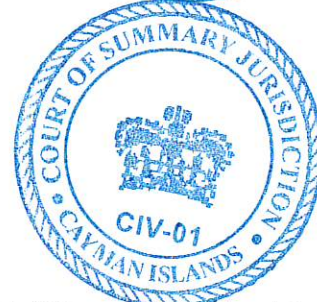
Plaintiff

Defendant

To the Defendant

Derrick Albert Bodden  
East End,  
P.O. Box 53  
Grand Cayman, KY1-1801  
Telephone: 925-0342 / 947-7484

Saxon Centre  
Eastern Ave  
14 Saturn Close, P.O. Box 1094  
Grand Cayman, KY1-1102



THIS PLAINT has been issued against your 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 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 15<sup>th</sup> day of May 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 him or is liable to pay damages to him).

- (1) On the 26<sup>th</sup> day of December 2019 the defendant ran off the main road in Bodden Town and damage the plaintiff parked 2008 Mercedes Benz with his Volkswagen Thing, Registration # 162463. As a result of his denial of culpability the plaintiff is unable to claim on the defendant insurance.
- (3) There is no doubt that the defendant is responsibility for the damages to plaintiff car. The plaintiff is hereby asking the court to intervene on the plaintiff behalf for damages as the plaintiff have tried tirelessly to settle this matter but seem to be getting nowhere. The plaintiff is relying primarily on a rent a car as his car is not in a drivable condition.
- (4) The Defendant damage the Plaintiff's car and should have to reimburse the Plaintiff for all damages including car rental from December 27, 2019, and all other cost incurred in these matters

AND the Plaintiff claims:

- 1 The sum of CI \$ 11,095.04 (Eleven Thousand ninety five zero four).
- 2 Interest in the sum of \$ \_\_\_\_\_, calculated at the prescribed rate from \_\_\_\_\_ to date.
- 3 Fixed costs of \$ \_\_\_\_\_, alternatively costs to be assessed.



\_\_\_\_\_  
Plaintiff's Signature

Plaintiff's address for service

20 Roberta Way, Newlands  
P.O. Box 2736  
Grand Cayman KY1-1508  
Telephone: 327-8914

No. 2

**Acknowledgment of Service**

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_\_\_ of 20\_\_

Between:

SAMUEL EZEKIAL THOMAS

Plaintiff

AND:

DERRICK ALBERT BODDEN  
SAXON INSURANCE

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 not 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**

## **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.

## Saxon Insurance Claim Submission

From: claims@saxon.ky (noreply+7821d3b7f17e5fc5@formstack.com)

To: samuelethomas@yahoo.com

Date: Friday, December 27, 2019, 11:09 AM GMT-5



**Formstack Submission For: Claims - Claims Form (FNOL)**  
Submitted at 12/27/19 11:09 AM

<b>Are you insured with Saxon?:</b>	Yes, I'm insured with Saxon
<b>Do you believe you were at fault for the accident?:</b>	No
<b>Are you Claiming for damage to your vehicle on Your Policy (Only applies If you have the Applicable Coverage):</b>	No
<b>Please provide your policy number::</b>	P04262018-KY-046044
<b>Vehicle/Property Owner's Name::</b>	Samuel Thomas
<b>Vehicle/Property Owner's Phone Number::</b>	3278914
<b>Vehicle/Property Owner's Email Address::</b>	samuelethomas@yahoo.com
<b>Was the Owner the Driver?:</b>	Not Applicable
<b>Vehicle or Property?:</b>	Vehicle
<b>Vehicle Registration Number::</b>	187937
<b>Vehicle Make::</b>	Mercedes-Benz

**Vehicle Model::** E200k

**Vehicle VIN::** WDB211042B261624

**Date and time of accident::** Dec 26, 2019 10:10 PM

**Location of accident::** Bodden Town

**Description of Accident::**  
My vehicle was park and a car ran off the road after been involved in an accident and hit it.  
  
The police came but I was unable to get any information as the man was transported to the hospital in the ambulance.  
  
His vehicle registration number is 162563

**Was there damage to your vehicle/property?:** Yes

**Description of damage to your vehicle/property::** Front end, bumper, right doors, back bumper

**Was there damage to the other vehicle/property?:** Not Applicable

**Were any of the vehicles involved in the accident towed?:** Not Applicable

**Were the Police Present?:** Yes

**Was anyone injured?:** I do not know

**Was anyone taken to Hospital?:** Yes

**Do you have the other party's details?:** No

**Please Sign::**



[Direct Link to Image](#)

Copyright © 2019 Formstack, LLC. All rights reserved. This is a customer service email.  
Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Date: 01/24/2020 11:55 AM  
 Estimate ID: 6714  
 Estimate Version: 0  
 Preliminary  
 Profile ID: Mitchell

## H&R AUTO BODY SHOP

10 Durham Drive, GT PO Box 10440, Grand Cayman KY1-1104  
 (345) 949-5625 ext. 4355  
 Fax: (345) 949-8615  
 Email: rodolfo.membreno@carcitycayman.com

Damage Assessed By: Rodolfo Membreno  
 Classification: Drive-In

Deductible: UNKNOWN  
 Claim Number: N/A

Owner: SAMUEL THOMAS  
 Telephone:  
 Fax Phone: (345) 327-8914

Mitchell Service: 910065

Description: 08 MERCEDES E-200  
 VIN: WDB2110412B261624 License: 187-937 KY  
 Mileage: 97,839  
 OEM/ALT: A Search Code: B1013311  
 Color: Indium Grey Metallic  
 Options: CD CHANGER, PASSENGER AIRBAG, POWER DRIVER SEAT, POWER LOCK, POWER WINDOW  
 POWER STEERING, REAR WINDOW DEFOGGER, AIR CONDITION, CRUISE CONTROL  
 TILT STEERING COLUMN, AM/FM STEREO, DRIVER AIRBAG, HEATED EXTERIOR MIRROR  
 REAR (DUAL-ZONE) AC, POWER PASSENGER SEAT  
 FRONT SIDE AIRBAG WITH HEAD PROTECTION, PREMIUM SOUND SYSTEM  
 ANTI-LOCK BRAKE SYS., TRACTION CONTROL, FOG LIGHTS, ALUM/ALLOY WHEELS  
 TIRE INFLATION/PRESSURE MONITOR, MEMORY SEAT, ANTI-THEFT SYSTEM, AUXILIARY INPUT  
 LEATHER STEERING WHEEL, CD PLAYER, POWER ADJUSTABLE EXTERIOR MIRROR  
 SUNROOF/MOONROOF, GENUINE WOOD TRIM, AUTO AIR CONDITION, TRIP COMPUTER  
 FIRST ROW BUCKET SEAT, TELEMATIC SYSTEMS, UNIVERSAL GARAGE DOOR OPENER  
 SIDE AIRBAGS, AUTOMATIC HEADLIGHTS, SECOND ROW SIDE AIRBAG WITH HEAD PROTECTION  
 INTERIOR AUTOMATIC DAY/NIGHT OR ELECTROCHROMATIC MIRROR, MP3 PLAYER  
 DAYTIME RUNNING LIGHTS, DRIVER SEAT WITH POWER LUMBAR SUPPORT  
 ELECTRONIC STABILITY CONTROL, EXTERIOR MEMORY MIRRORS  
 FRONT SEATS WITH POWER LUMBAR SUPPORT, KEYLESS ENTRY SYSTEM, RAIN SENSING WIPERS  
 STEERING WHEEL AUDIO CONTROLS

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Unlts
1	006481	BDY	REMOVE/INSTALL	Frnt Bumper Assy			1.8 #
2	007928	BDY	REPAIR	Frnt Bumper Cover	Existing		2.5* #
3	AUTO	REF	REFINISH	Frnt Bumper Cover			C 2.3
4	006358	BDY	REMOVE/REPLACE	R Frt Bumper Bracket	211 880 12 14	82.00 *	
5	007292	BDY	REMOVE/REPLACE	R Frt Bumper Impact Strip	211 885 24 21	94.00 *	0.2
6	007270	BDY	REMOVE/REPLACE	R Frt Bumper Fog Lamp Cover	ORDER FROM DEALER	30.00 *	0.2 #
7	AUTO	REF	REFINISH	R Frt Lamp Cover			C 0.3
8	900500	REF *	REFINISH/REPAIR	R Frt Wheel	Existing		2.5*
9	000323	BDY	REMOVE/REPLACE	R Fender Panel (Alum)	211 880 14 18	685.00 *	3.5 #
10	AUTO	BDY	CHECK/ADJUST	Headlamps			0.4
11	AUTO	REF	REFINISH	R Fender Outside			C 2.1
12	AUTO	REF	REFINISH	R Add To Edge Fender			C 0.6
13	002968	MCH	ALIGN	Front Suspension	-M		1.3
14	003023	MCH	REMOVE/REPLACE	R Lwr Frt Susp Control Arm Assy	211 330 76 07	695.00 *	1.9 #
15	003042	MCH	REMOVE/REPLACE	R Steering Tie Rod End	220 338 14 15	160.00 *	INC
16	003044	MCH	REMOVE/REPLACE	R Inr Steering Tie Rod	ORDER FROM DEALER	65.00 *	0.6 #
17	000602	MCH	REMOVE/REPLACE	R Steering Nut	308673 014001 64	8.00 *	

ESTIMATE RECALL NUMBER: 01/24/2020 10:59:35 6714

Mitchell Data Version: OEM: DEC\_19\_V  
 MAPP:DEC\_19\_V

Software Version: 7.1.238

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Page 1 of 3

18	001517	BDY	REPAIR	R Frt Door Shell	Existing		4.0* #
19	AUTO	REF	REFINISH	R Frt Door Outside			C 1.8
20	002709	BDY	REMOVE/INSTALL	R Frt Otr Door Belt Moulding			0.8 #
21	002711	BDY	REMOVE/INSTALL	R Frt Door Moulding			INC
22	002713	BDY	REMOVE/INSTALL	R Frt Door Power Mirror			INC
23	005272	BDY	REMOVE/REPLACE	R Frt Door Moulding	211 690 20 62	418.00 *	0.3
24	002715	BDY	REMOVE/INSTALL	R Frt Door Trim Panel			INC
25	002723	BDY	REMOVE/INSTALL	R Frt Otr Door Handle			1.0 #
26	002095	BDY	REPAIR	R Rear Door Shell	Existing		3.0*
27	AUTO	REF	REFINISH	R Rear Door Outside			C 1.8
28	002745	REF	REFINISH	R Rear Door Moulding			C 0.5
29	002749	BDY	REMOVE/INSTALL	R Rear Otr Door Belt Moulding			0.4
30	002751	BDY	REMOVE/INSTALL	R Rear Door Moulding			0.3
31	002763	BDY	REMOVE/INSTALL	R Rear Otr Door Handle			1.0 #
32	002785	REF	BLEND	L Quarter Panel Outside			C 0.9
33	002267	BDY	REPAIR	R Quarter Outer Panel	Existing		0.5* #
34	AUTO	REF	REFINISH	R Quarter Panel Outside			C 1.7
35	900500	BDY *	REMOVE/REPLACE	clips, 10@4.20	New	42.00 *	0.0*
36	005403	BDY	REMOVE/REPLACE	R Rear Combination Lamp Assembly	211 820 26 64 64	430.00 *	0.4 #
37	AUTO	BDY	OVERHAUL	Rear Bumper Cover Assy			3.7 #
38	007282	BDY	REMOVE/REPLACE	Rear Bumper Cover	211 880 39 40	1,441.00 *	INC #
39	AUTO	REF	REFINISH	Rear Bumper Cover			C 2.4
40	007309	BDY	REMOVE/REPLACE	R Rear Otr Bumper Impact Strlp	211 885 28 21	121.00 *	INC
41	AUTO	REF	ADD'L OPR	Clear Coat			3.3
42	AUTO		ADD'L COST	Paint/Materials		915.04 *	
43	AUTO		ADD'L COST	Shop Materials		40.00 *	

\* - Judgment Item  
 # - Labor Note Applies  
 C - Included in Clear Coat Calc

### Estimate Totals

I. Labor Subtotals	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary	Amount
Body	24.0	60.00	0.00	0.00	1,440.00	Non-Taxable Parts	4,271.00
Refinish	20.1	60.00	0.00	0.00	1,206.00	Total Replacement Parts Amount	4,271.00
Mechanical	3.8	85.00	0.00	0.00	323.00		
Non-Taxable Labor					2,969.00		
Labor Summary	47.9				2,969.00		
III. Additional Costs					Amount	IV. Adjustments	
Non-Taxable Costs					955.04	Customer Responsibility	
Total Additional Costs					955.04	0.00	
Paint Material Method: RMC							

ESTIMATE RECALL NUMBER: 01/24/2020 10:59:35 6714

Mitchell Data Version: OEM: DEC\_19\_V

MAPP: DEC\_19\_V

Software Version: 7.1.238

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Date: 01/24/2020 11:55 AM  
Estimate ID: 6714  
Estimate Version: 0  
Preliminary  
Profile ID: Mitchell

I.	Total Labor:	2,969.00
II.	Total Replacement Parts:	4,271.00
III.	Total Additional Costs:	955.04
	Gross Total:	8,195.04
IV.	Total Adjustments:	0.00
	Net Total:	8,195.04

**This is a preliminary estimate.**  
**Additional changes to the estimate may be required for the actual repair.**

Insurance Co: SAXON  
Telephone: (345) 749-2601

Thank You For Your Business

This Is Only An Estimate Teardown Is Needed For Proper Estimate

ESTIMATE RECALL NUMBER: 01/24/2020 10:59:35 6714

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MAPP:DEC\_19\_V

Software Version: 7.1.238

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Page 3 of 3

Re: Samuel Thomas ( Estimate )

---

From: samuelethomas@yahoo.com (samuelethomas@yahoo.com)

To: rr@saxon.ky; claims@saxon.ky; mm@saxon.ky

Date: Monday, January 13, 2020, 10:45 AM GMT-5

---

Good morning Mr Rankin,

Just doing a fellow up on the calm regarding Mr. Bodden who hit my car.

The file number for the police report is:

2019-9035040

Police officer: PC 256 Matthew Morrison.

Please say if I should be seeking legal representation in this matter.

Kind Regards

Samuel Thomas

ROYAL CAYMAN ISLANDS POLICE SERVICE

REPORT/RMS#

2019 035040

Mr. Baillie  
649-6254



**RCIPS**  
We Care, We Listen and We Act

APPLICATION FOR TRAFFIC ACCIDENT REPORT

(PLEASE NOTE, THE REPORT NUMBER "MUST BE WRITTEN" ON THE TOP OF THIS REQUEST, PRIOR TO SUBMITTING TO THE CRIME DESK FOR PROCESS)

095-4223

Date Requested: 15/01/20

Requesting Person: Samuel Thomas

Registered Own of Vehicle: (Very Important) Samuel Thomas

Person Driving the Vehicle: (Very Important) N/A

Date Of Accident: (Very Important) 26/12/19

Vehicle Reg. # (Very Important) 187 937

Investigating Officers Name: PC Matthew Morris

Location of Accident: Bodden Town

Email Address: samuelthomas@yahoo.com

Phone #: 327 8914

This is my:  First Request

Second Request

Purpose Requested:

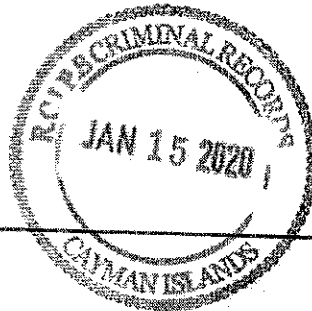
Legal Purpose

Insurance

Other \_\_\_\_\_

Regards

Signature



**FOR OFFICE USE ONLY:**

Please note a \$100.00 charge is applicable with this application, reports are printed on Wednesdays & Thursdays of each week.

Date Completed: \_\_\_\_\_ By Whom Completed: \_\_\_\_\_

Signature: \_\_\_\_\_

Traffic Dept  
649-6254

Julie Harris  
649-6121

[Request received] Update

---

From: Saxon Insurance (rrankin@saxon.ky)

To: samuelethomas@yahoo.com

Date: Tuesday, January 21, 2020, 11:32 AM GMT-5

---

##- Please type your reply above this line ~##

Thank you for your email.

Your request has been received by Saxon and is being reviewed by one of our team.

To add additional comments, reply to this email.

---

**Samuelethomas**

Jan 21, 11:32 AM -05

Good day Mr. Rankin,

Just touching base.

Realise yesterday my car receive extensive damage to the right front end.H and R is currently working on a estimate for that.

Are there any arrangements base on the fact that my car is not drivable.

I was renting ba car but my resources are limited where that is concerned.

Kind Regards Samuel

---

This email is a service from Saxon Insurance. Delivered by [Zendesk](#) | [Privacy Policy](#).

[938Z0M-K88E]

## Police Report

---

From: samuelethomas@yahoo.com (samuelethomas@yahoo.com)

To: rr@saxon.ky

Date: Thursday, January 23, 2020, 11:57 AM GMT-5

---

Good day Mr. Rankin,

Based on conversation with Ms. Julie Harris at the traffic's department an email from you would suffice to her giving you additional information as the report is still not ready.

She has informed that you have her email address.

Kind Regards  
Samuel

RE: [EXTERNAL] Uodate

---

From: Morrison, Matthew (matthew.morrison@rcips.ky)  
To: samuelethomas@yahoo.com  
Date: Wednesday, March 4, 2020, 01:35 PM GMT-5

---

Good Day Sir,

You will need to go to the office on walkers road to get a copy of the report.

---

**From:** samuelethomas@yahoo.com [mailto:samuelethomas@yahoo.com]  
**Sent:** Tuesday, March 3, 2020 3:37 PM  
**To:** Morrison, Matthew  
**Subject:** Re: [EXTERNAL] Uodate

Just a quick question, can I actually get a copy of the report or I will have to wait on the decision of the ODDP.

Kind Regards

On Monday, February 17, 2020, 08:57:48 PM GMT-5, Morrison, Matthew <matthew.morrison@rcips.ky> wrote:

Good Night,

In relation to the investigation the file was reviewed by my supervisor and submitted for a legal ruling at the ODPP office.

As I said before I will keep you posted on any further actions going forward.

Regards,

PC Morrison

---

**From:** samuelethomas@yahoo.com [mailto:samuelethomas@yahoo.com]  
**Sent:** Thursday, February 13, 2020 9:58 AM  
**To:** Morrison, Matthew <Matthew.Morrison@rcips.ky>  
**Subject:** Re: [EXTERNAL] Uodate

Thank you for the update..

Regards

On Thursday, February 13, 2020, 09:28:49 AM GMT-5, Morrison, Matthew <[matthew.morrison@rcips.ky](mailto:matthew.morrison@rcips.ky)> wrote:

Good Day,

Relative to the investigation, the documents will be reviewed today by my supervisor before they are sent off to the Office of the Director and Public Prosecution.

I know your anxious about the matter, but please bear with me. I will informed you with any further actions.

Regards,

PC Morrison

---

**From:** [samuelethomas@yahoo.com](mailto:samuelethomas@yahoo.com) [<mailto:samuelethomas@yahoo.com>]

**Sent:** Wednesday, February 12, 2020 12:42 PM

**To:** Morrison, Matthew <[Matthew.Morrison@rcips.ky](mailto:Matthew.Morrison@rcips.ky)>

**Subject:** [EXTERNAL] Uodate

Good day Mr. Marrison,

Just trying to get in update on the report.

Kind Regards

Samuel Thomas

RE: [EXTERNAL] Uodate

---

From: Morrison, Matthew (matthew.morrison@rcips.ky)

To: samuelethomas@yahoo.com

Date: Thursday, March 5, 2020, 03:53 PM GMT-5

---

Good Day Sir,

You might have to pop by there ever now and then to see if you can get a copy. That's the only place you can get the copy from.

Regards,

PC Morrison

---

**From:** samuelethomas@yahoo.com [mailto:samuelethomas@yahoo.com]  
**Sent:** Thursday, March 5, 2020 9:33 AM  
**To:** Morrison, Matthew <Matthew.Morrison@rcips.ky>  
**Subject:** Re: [EXTERNAL] Uodate

Good morning Mr. Morrison,

Visited the records off was told the matter is still under investigation and not report is available.

Regards

On Wednesday, March 4, 2020, 01:35:25 PM GMT-5, Morrison, Matthew <matthew.morrison@rcips.ky> wrote:

Good Day Sir,

You will need to go to the office on walkers road to get a copy of the report.

---

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**Subject:** [EXTERNAL] Uodate

Good day Mr. Marrison,

Just trying to get in update on the report.

Kind Regards

Samuel Thomas

## Contact Details

---

From: Morrison, Matthew (matthew.morrison@rcips.ky)

To: samuelethomas@yahoo.com

Date: Wednesday, May 13, 2020, 01:53 PM GMT-5

---

Good day sir,

As requested, Derrick Albert Bodden. Contact 925-0342. Please note I don't have an email address for him.

Regards,

PC Morrison