

Plaint

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 139 of 2020

BETWEEN:

JOSE PENA

Plaintiff

AND:

NEVILLE ANTONIO FAULKNOR
9168576

Defendant

To the Defendant

203 FERN CIRCLE,
GEORGETOWN,
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 Plaint 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 **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 25th day of November , 2020

See overleaf for particulars of the Plaintiff's claim

PARTICULARS OF CLAIM

1. On the 2nd of September 2019 a loan was made to Neville Antonio Faulknor. This is outlined in the attached memorandum of understanding that is signed and accepted between myself and the defendant Neville Antonio Faulknor. To date he has not honoured this agreement and has not made any payments towards this loan. I am suing for the full amount of the loan and the interest as agreed in the attached document.

AND the Plaintiff claims:

- 1 The sum of \$ 2,500.00 .
- 2 Interest in the sum of \$ 250 per week calculated at the prescribed rate from 2nd September 2019 to date.
- 3 Fixed costs of \$ _____, alternatively costs to be assessed.
- 4 Interest to continue until this matter is settled.



Plaintiff's Signature

Plaintiff's address for service

47 TEMPLEWOOD DRIVE, GT
P.O.Box 2785 GT
KY1-1112
GRAND CAYMAN

MEMORANDUM OF UNDERSTANDING

I Neville Antonio Faulknor of Grand Cayman, 203 Fern Circle, Georgetown, hereby agree in the presence of an empowered public notary of the Cayman Islands, 2nd of September 2019, that I will repay to Mr. Jose Pina, the amount of CI\$1000.00 (One thousand dollars) on the 2nd of October 2019 and a final payoff payment of CI\$3000.00 on the 2nd of November 2019, from an initial amount of CI\$2500.00 (Twenty-five hundred dollars) borrowed from Mr. Pina out of good faith on his side.

This understanding has also empowered Mr. Pina with an agreed term solely by me that if for any reason I am unable to make these payments back to Mr. Pina for unforeseen circumstances, then Mr. Pina can contact any of the listed tenants to have the amount of funds outstanding made to him in the amounts specified, noting that the interest on the CI\$2500.00 is at a rate of CI\$250.00 per week.

TENANTS:

UNIT # 1 monthly rental for Lhayza Solomon - CI\$900.00. PH: 929-0838.

UNIT # 2 monthly rental for Sasha Gay and Cadine Black – CI\$750.00. PH: 750.00.

UNIT # 2 monthly rental for Lucas Fernandes – CI\$1000.00. PH: 923-0264.

UNIT # 2 monthly rental for Shenika Cole – CI\$1000.00. PH: 325-9466.

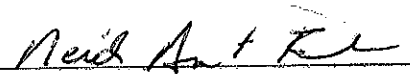
UNIT # 3 monthly rental for Shormari Blake – CI\$1300.00. PH: 321-5011.

UNIT # 4 monthly rental for Manuel De Jesus – CI\$800.00. PH: 929-2279.

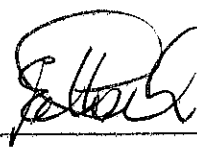
UNIT # 5 monthly rental for Luis Pereira – CI\$ 1500.00. PH: 517-5991.

UNIT # 6 monthly rental for Fay Foster – CI\$700.00. PH: 327.8457.

UNIT # 7 monthly rental for Allan Rey – CI\$1400.00. PH: 321-8742.

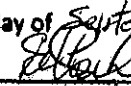


Neville Antonio Faulknor
Landlord: 203 Fern Circle



Elizabeth Ibeh
Public Notary



**Certified to be a true and correct copy
of the original**
Dated this 2 day of September 2019


Elizabeth Ibeh
Notary Public in and for the Cayman Islands
My commission expires January 31st, 2020

Acknowledgment of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 139 of 2020

Between:

JOSE PENA

Plaintiff

AND:

NEVILLE ANTONIO FAULKNOR

Defendant

ACKNOWLEDGMENT OF SERVICE

1 State Defendant's name and address -

Neville Antonio Faulknor,
203 Fern Circle,
Georgetown,
Grand Cayman.
916-8576

1 State whether the Defendant intends to contest the action.

Yes

No

2 If you do not intend to contest the action, do you want time in which to pay the claim?

Yes

No

3 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 Plaint 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.