



No. 1
Plaint

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 146 of 2020

BETWEEN:

DERRYMORE S. LYON

Plaintiff

AND:

EVERTON MALCOLM
T/A M&R CONSTRUCTION

Defendant

To the Defendant

Luke Forbes Dr. Newlands (Hm)
199 Seymour Dr. Rd, KY1-1110
P.O. Box 15297

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 **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 14th day of Dec 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. MR. MALCOLM HAS FAILED TO MEET TERMS OF SIGNED WRITTEN AGREEMENT AND TO REPAY PRINCIPAL AND INTEREST AS AGREED.
 2. PART PAYMENTS HAVE BEEN MADE AND A BALANCE OF C\$5,825 OF AN AGREED C\$15,000 (OUTSIDE OF THE TERMS OF THE WRITTEN AGREEMENT REACHED) REMAINS OUTSTANDING.
 3. REFUSES ALL POSSIBLE MEANS OF COMMUNICATION.
- AND the Plaintiff claims:

- 1 The sum of \$5825.00 (CI)
(as per agreement)
- 2 Interest in the sum of \$ To be calculated calculated at the prescribed rate from to date.
- 3 Fixed costs of \$ 100.00, alternatively costs to be assessed.



Plaintiff's Signature

Plaintiff's address for service

P.O. Box 31444, K41-1206
100 Boreal St. #2, W.B.
925-9368 (PH)

No. 2

Acknowledgment of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC 146 of 20 20

Between: Derrymore S. Lyon

Plaintiff

AND: Everton Malcolm
T/A M & R Construction

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 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.