

**THE GRAND COURT OF THE CAYMAN ISLANDS**

CAUSE NO. _____ of 2022

BETWEEN:**THE ATTORNEY GENERAL****Plaintiff****AND****WINSTON SALMON t/a G & A SPECTACULAR CLEANING****Defendant****WRIT OF SUMMONS**

To: WINSTON SALMON T/A G&A
SPECTACULAR CLEANING
124 Halifax Road, George Town
Box 31187 Grand Cayman KY1-1205
Cayman Islands

THIS WRIT OF SUMMONS 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 Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495, Grand Cayman, KY1-1106, Cayman Islands, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 9th day of February 2022

NOTE: this Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The Defendant is and was at all material times resident in the Cayman Islands and carrying on business pursuant to the laws of the Cayman Islands. The Defendant's address is 124 Halifax Road, George Town, Box 31187 Grand Cayman KY1-1205, Cayman Islands.
2. Between June 2019 and November 2021, the Defendant issued twelve (12) cheques to the Cayman Islands Government for the payment of services, all of which were dishonoured by the bank and returned to the Government due to insufficient funds. The dishonoured cheques are:

Cheque No.	Date of Cheque	Amount of cheque C\$	Admin/Bank Fees	Total owed to CIG C\$
11	21 June 19	2,400.00	40.00	2,440.00
13	5 July 19	3,075.00	40.00	3,115.00
14	16 July 19	1,490.00	40.00	1,530.00
16	22 July 19	1,755.00	40.00	1,795.00
24	20 Aug 19	4,090.00	40.00	4,130.00
25	22 Aug 19	897.50	40.00	937.50
27	29 Aug 19	2,995.00	40.00	3,035.00
67	31 May 21	1,000.00	40.00	1,040.00
122	11 Oct 21	675.00	50.00	725.00
88	18 Nov 21	1,080.00	50.00	1,130.00
89	11 Nov 21	570.00	50.00	620.00
201	20 Nov 21	1,890.00	50.00	1,940.00
Total		21,917.50	520.00	22,437.50

3. The total sum owed to the Cayman Islands Government is C\$22,437.50, inclusive of administrative banking fees.
4. Notwithstanding the demands for payment being made on the Defendant and efforts to have the Defendant enter a payment agreement, the Defendant has failed to honour promises to do so.
5. To date the Defendant has failed or neglected to make full payment on this amount to the Plaintiff despite repeated demands for payment.
6. As a result of the above, the Plaintiff is entitled to the relief claimed in this proceeding.

AND THE PLAINTIFF claims:

- a. C\$22,437.50 being the total sum due to the Plaintiff.
- b. Such other relief as this Court may deem just.

If, within the time for returning the acknowledgement of service, the defendant pays to the plaintiff the total amount claimed in the principal, further proceedings will be stayed. The money must be paid to the plaintiff.



The Attorney General

This WRIT OF SUMMONS and STATEMENT OF CLAIM was issued by the Plaintiff, whose address for service is Attorney General's Chambers c/o Treasury Department, Government Administration Building, 133 Elgin Avenue, George Town, Grand Cayman KY1-9000, Cayman Islands. (Nathania.Pearson@gov.ky)

No.8

Acknowledgment of service of writ of summons (O.12 r.3)

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS

1. The accompanying form of *Acknowledgment of Service* should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person.

After completion it must be delivered or sent by post to the Law Courts, Box 495GT, Grand Cayman.

2. The Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If the Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear at the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for the judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after the Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defend within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgement of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a *Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

*See over for notes for guidance
please complete overleaf*

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purposes of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words “sued as (*the name stated on the Writ of Summons*)”.
4. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description “Partner in the firm of (.....)” after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description “trading as (.....)” after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceeding without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. ____ of 2022

BETWEEN:

THE ATTORNEY GENERAL

Plaintiff

AND

WINSTON SALMON t/a G & A SPECTACULAR CLEANING

Defendant

ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set aside.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceeding (tick appropriate box)
 yes no

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box)
 yes no

Service of the Writ is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in person]

Address for service:

Please complete overleaf

Notes on address for service

Attorney: where the Defendant is represented by an attorney, state the attorney’s place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communication for him should be sent. In the case of a limited company, “residence” means its registered or principal office.

Indorsement by the plaintiff’s Attorney (or by the plaintiff if suing in person) of his name, address and reference, if any, in the box below.

The Cayman Islands Government
Treasury Department
3rd Floor Government Administration Bldg.
133 Elgin Ave, George Town
Grand Cayman, Cayman Islands
Attn: Debt Recovery Manager, Treasury Department
Nathania.Pearson@gov.ky

Indorsement by the Defendant’s Attorney (or by the Defendant if suing in person) of his name, address and reference, if any in the box below.