



No. 1
Plaint

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC _____ of 20__

BETWEEN:

RICHARDO BEALE

Plaintiff

AND:

THEON MCCOY.

Defendant

To the Defendant

THEON. Mc Coy
VAPE STORE
174 NORTH CHURCH ST.
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 Plaintiff 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 11TH day of APRIL 2022

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)

Please see attached.

AND the Plaintiff claims:

- 1 The sum of 4500.
- 2 Interest in the sum of \$ 400 calculated at the prescribed rate from to date. 8%
- 3 Fixed costs of \$ 500, alternatively costs to be assessed.



PO Box 467
KY1-1502
929-2253

Plaintiff's Signature

Plaintiff's address for service

126 Colby Drive Newlands.
Grand Cayman, Cayman Islands

ORDER AND RELIEF CLAIMED

The Applicant seeks payment of a debt owed to him for the purchase of his car along with stock rims and tyres by the Respondent. The Applicant seeks the \$4500KYD remaining on the total payment of \$10,000.

AND The Applicant also seeks interest on the outstanding debt

AND the Applicant seeks his legal costs incurred in attempting to recover this debt.

FURTHER AND In the Alternative The Applicant seeks the return of the car in good condition forthwith along with the stock rims and tyres that were provided at the time of sale.

APPLICANT'S GROUNDS

1. On 11th March 2021 the Applicant sold a Nissan Skyline Vin number #CPV35-601718 to the Respondent for the sum total of \$10,000.KYD. The Defendant agreed to pay the applicant in instalments. The Respondent paid the first instalment of \$5000 via money transfer at the Butterfield bank. The Respondent then owed the Applicant a further \$5000. A copy of the sales agreement is attached hereto and marked *Exhibit 1*.
2. A further \$500 was paid by the Respondent on 30th April 2021. A copy of the bank confirmation of the transaction is attached hereto and marked *Exhibit 2*.
3. Thereafter no further payments were forthcoming. The Applicant has attempted on several occasions to contact the Respondent, the Respondent initially promised to make good on the payments. Thereafter when the Applicant contacted the Respondent, the Respondent either refused to take his call and tried to avoid him or was hostile and would tell the Applicant that he would have to take him to court to get the rest of his money.

4. The Respondent owes the Applicant the money or should return the car with stock rims and tyres to the Applicant forthwith. As the vehicle has not been paid for in full by the Respondent yet the Respondent has been the said vehicle it in the interim period.

5. In the interim period The Applicant asks the court for an order preventing the Respondent from driving the vehicle or in anyway altering the vehicle or disposing of the vehicle until this matter is resolved. Such an order is required as should the car need to be returned the Applicant believes the Respondent will do what he can to ensure the car is devalued or strip the car of items in it for individual sale. Further the Applicant seek an expedited hearing so that this matter can be resolved.

Signed Richardo Beale

No. 2

Acknowledgment of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC _____ of 20__

Between:

Ricardo Beale

Plaintiff

AND:

Iheon McCay

Defendant

ACKNOWLEDGMENT OF SERVICE

1 State Defendant's name and address -

Iheon. McCay.
(work address) Vape store
174 Northchurch STREET
George Town. GRAND CAYMAN

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.