



No. 1 Plaintiff

.....Y COURT AT GEORGE TOWN

Cause No. SC _____ of 20__

BETWEEN:

Ashley Francis-ACS General Maintenance & Repairs

Plaintiff

AND:

IBCL Development Construction- Adonis Drive, West Bay Road, Grand Cayman, Cayman Islands, Block 9A, Parcel 11
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Defendant

To the Defendant

Winsome Prendergast 91 Godfrey Nixon Way Unit H15 Georgetown Grand Cayman

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 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 7 day of June 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).

My wife and I own and operate a small maintenance and repair company known as ACS General Maintenance and Repairs.

On October 15, 2021, I was contacted by a Mrs. Winsome Prendergast of IBCL Development and Construction to tile some apartment units located at Adonis Drive, West Bay. I later attended the apartment complex and examine the work that was required to be done and gave Mrs. Prendergast a quotation as to the cost to complete the job. We later engaged in a signed contract of agreement to render the service of tiling of the said apartment units.

on November 4th 2021 after working for a few weeks I received a payment of CI \$4040 dollars. I continued to work until the 18th of November 2021 in which I completed the following:

- Tiling of upstairs interior floor- 2016 square foot- \$4032.00,
- 3 bathrooms in its entirety and 1 bathroom that was incomplete (shower floor incomplete)-CI\$2600.
- 2 front porch CI\$480
- 4 backsplash- CI\$1000.00

-Total Due CI\$8112.00

After sending her the invoice for payment I did not received payment after several weeks as such I stopped working pending payment. I also had to pull my workmen from the job and pay them out of pocket. To date, I have not received any further payment from her which has gone over 6 months I sent her several text messages and calls and still no date as to when I will be paid for the service rendered by my company.

She however has indicated in some of her text messages to me that the bank is not giving her any money and that she must wait. In addition, she also said that she is waiting on the bank to get a drawdown. In one text message, she indicated that she has paid all the workmen on the job except me and that she does not know when she will pay me.

I have included some texts messages that was exchanged between myself and Mrs. Prendergast as evidence. In the texts she acknowledges that she owes me money but has not been making any effort to pay me.

I am requesting assistance from the court to have her pay the sum owed to my company of CI \$8112.00.

AND the Plaintiff claims:

- 1 The sum of **CI\$8112.00**
- 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

Sophia Francis
44 Elroy Arch Road
Georgetown, Grand Cayman
KY 1-1101 P.O. Box 13.

Sophiasamuels@hotmail.com
345-938 9381.

Plaintiff's address for service

ACS General Maintenance and Repairs
 Ashley Francis

 44 Elroy Arch Road
 Georgetown, Grand Cayman
 KY1-1101
 (345)-938-9381

No. 2 Acknowledgment of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC _____ of 20__

Between:

Ashley Francis, ACS General
 Maintenance and Repairs

Plaintiff

AND:

IBCL Development-Adonis Drive,
 West Bay Road, Grand Cayman,
 Cayman Islands,
 Block 9A, Parcel 11

Defendant

ACKNOWLEDGMENT OF SERVICE

1 State Defendant's name and address -

Winsome Prendergast
 91 Godfrey Nixon Way
 Unit H15
 Georgetown
 Grand Cayman
 345-516-5241

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 **Plaint** is acknowledged accordingly.

Signature Defendant's

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).

Signature Defendant's