



NO. 1

Plaint

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC _____ of 20 _____

BETWEEN: Claudette Maxwell Plaintiff
 Perfect Choice Roofing, Construction & Maintenance
 P.O. Box 870 Grand Cayman KY1-1503
 Cayman Islands
 1345 - 9259489

AND: Caystar Construction Defendant
 P.O. Box 707 Grand Cayman KY1-1303
 Cayman Islands
 1345 - 9245779

To the Defendant

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 Acknowledgement 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 16th day of November 2022

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) The Plaintiff was hired by the Defendant on October 18, 2019 to do the sticking of foam, flex base and marmaran work on Building # 23 and Building # 25 at Vela a Davenport Development Construction Site on South Sound Road.
- (2) The Defendant signed an agreement with the Plaintiff for the job to be done at a cost of \$53,500.00 (Building # 23 for \$26,500.00 and Building # 25 for \$27,000.00). The Defendant has made combined payments to the Plaintiff totaling \$43,600.00 and is owing a balance of \$9,900.00.
- (3) The project was delayed in early 2020 where the whole construction site was closed down due to COVID-19. The Plaintiff completed the job in December 2020 and is still awaiting a final payment from the Defendant.
- (4) The Defendant has been giving the Plaintiff the run around and keep saying that he is awaiting the release of the Retention held on these jobs by Davenport.
- (5) The Plaintiff on September 24, 2022 attended Davenport Site Office and met with the Site Supervisor Mr. Marlon Morris and Office Manager Ms. Teena Benjamin. They stated that the Defendant has been paid everything owing to him since 2021 and work on that site has been completed and that the Defendant has since started work on two buildings on their new project at Bahi Development on South Sound Road.

AND the Plaintiff claims:

- 1. The sum of \$9,900.00 CI.
- 2. Interest in the sum of \$ _____ calculated at the prescribed rate from to date.
- 3. Fixed costs of \$ 175,000 CI., alternately costs to be assessed.



 Plaintiff's Signature

Plaintiff's address for service
 Claudette Maxwell
 P.O. Box 870 Grand Cayman KY1-1503
 Cayman Islands

No. 2
Acknowledgement of Service

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC _____ of 20_____

BETWEEN: Claudette Maxwell Plaintiff

AND: Winston Ebanks Defendant

ACKNOWLEDGEMENT 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 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_____

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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 send to the Court Office, PO Box 495GT, George Grand Cayman within 14 days of receipt otherwise a default judgment may be entered against you.