



**SUMMARY COURT OF THE CAYMAN ISLANDS
NOTICE OF SERVICE**

CAUSE NO. SC of 2023

BETWEEN:

DEBORAH ANDERSON Plaintiff
(as *Executrix* of the Estate of
Admiral Lear Anderson
deceased)

AND:

KELSIE SMITH Defendant

PLAINT

TO THE DEFENDANT:

KELSIE SMITH, 129 Mary Street, 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 **Plaint** 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 on 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 25th day of July 2023.

See overleaf for particulars of the Plaintiff's claim.

PARTICULARS OF CLAIM

THE PLAINTIFF claims that:

1. The Defendant was the tenant of the leased premises as set out in the Schedule attached hereto and the Plaintiff was the Landlord and was collecting the rent by its agent Jay Kidd.
2. The monthly rent was due and payable as set out in the Schedule attached.
3. The Defendant breached the said lease agreement by not paying the rent from February 2023 and the arrears are set out in the Schedule hereto.
4. The Notice to Quit dated 25th May 2023 was served on 29th May 2023 to give notice to terminate the tenancy as set out in the Schedule hereto.
5. Despite the tenancy having been ended as aforesaid Defendant has failed to pay the arrears of rent and failed to give up possession but has remained in occupation as a trespasser and owes damages for use and occupation until possession be given up.

AND THE PLAINTIFF claims:

1. Possession of the premises.
2. The arrears sum of \$2,600.00.
3. Court issue fee, \$25.00; fixed costs of \$150 and the Bailiff fee of \$30 = total \$205.00
4. Damages for use and occupation or “mesne profits” of \$534.25 to the date hereof and continuing as per the Schedule attached hereto



Chapmans
Attorneys for the Plaintiff

The Plaintiff's address for service is Chapmans PO Box 742, 81 West Church Street, West Bay KY1-1303; jchapman@chapmanslegal.com and nebanks@chapmanslegal.com

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

SCHEDULE TO PLAINT FOR POSSESSION AND/OR DAMAGES FOR BREACH
OF TENANCY AGREEMENT WITH THE LANDLORD
DEBORAH ANDERSON
(As *Executrix* for the Estate of Admiral Lear Anderson deceased)

Land : George Town Block OPY Parcel 146

Street Address : 129 Mary Street, George Town

Unit Number : 5A

Name of Defendant(s)/former Tenant(s) : Kelsie Smith

Monthly Rent : KYD 650

Date of Month Rent Payable : 11th

Date of Notice to Quit : 25th May 2023

Date Notice to Quit Served : 29th May 2023

Date Tenancy Ended Under
Notice to Quit : 1st July 2023

Arrears of Rent Until Date
Tenancy Ended: : 2,600

Continuing Mesne Profits
For Use and Occupation from date
Tenancy Ended to Date hereof : 21.37 per day

**IN THE SUMMARY COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE NO. SC of 2023

BETWEEN:

DEBORAH ANDERSON
(as *Executrix* of the Estate of
Admiral Lear Anderson
deceased)

Plaintiff

AND:

KELSIE SMITH

Defendant

ACKNOWLEDGMENT OF SERVICE

1. State the Defendant’s name and address:

2. State whether the Defendant intends to contest the action (tick appropriate box)
 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 _____, 2023

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 to or send to The Courts Office, PO Box 495 GT, George Town, Grand Cayman with 14 days of receipt otherwise a default judgment may be entered against you

This PLAINT is filed by Chapmans, Attorneys-at-Law for the Plaintiff whose address for service is 81 West Church Street, P.O. Box 742, West Bay, Grand Cayman, Cayman Islands, KY1-1303 (ichapman@chapmanslegal.com)