



**SUMMARY COURT OF THE CAYMAN ISLANDS  
GEORGE TOWN, GRAND CAYMAN**

**CAUSE NO SC. OF 2023**

**BETWEEN: JULIAN E. WATLER PLAINTIFF**

**AND: PAUL CLARKE DEFENDANT**

**PLAINT**

To: PAUL CLARKE  
c/o Gay Ebanks T/A Speedplus Mobile Auto Machanix  
Phone: 345-517-3329

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, P.O. Box 495, 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 *Acknowledgment of Service* form.

**IF YOU FAIL** to satisfy the claim or fail to return the *Acknowledgment 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                    day of                    , 2023

**See overleaf for particulars of the Plaintiff’s claim.**

**This Plaint** is filed by the BB & Associates, attorneys for the Plaintiff, whose address for service and correspondence 3<sup>rd</sup> floor, Landmark Square, West Bay Road, Grand Cayman, Cayman Islands, telephone 345-925-

**PARTICULARS OF CLAIM**

1. The Plaintiff is and was at all material times the owner of vehicle white Ford F-150, registration number 151 219 ("JW's truck").
2. The Defendant drives a brown Dodge pick up truck, registration number 119 237 (the "Dodge truck"). The owner of the vehicle is unknown.
3. On 11<sup>th</sup> August 2023, at approximately 4:00pm at Enverto Place, 98 Shedden Road, George Town, Grand Cayman, Cayman Islands (the "location"), the Defendant while reversing the Dodge truck, accidentally hit JW's parked truck with the Dodge truck.
4. The Plaintiff's wife, Mrs. Mercy Watler, was driving JW's truck at the time and JW's truck was parked at the location as she owns a retail store there.
5. The Defendant asked that the Royal Cayman Islands Police Service not be called as the Dodge truck was not insured. It is unknown if the Defendant has a Driver's License.
6. In consideration of the Defendant's request, Plaintiff's wife acceded to his request. The Defendant then provided a sworn Affidavit stating "I am hereby assuming the total responsibility for this slight accident, because it was solely my fault."

AFFIDAVIT

TO WHOM IT MAY CONCERN

I, PAUL CLARKE, a Jamaican national with Passport No. A3594281 and Date of Birth 21 February 1966, and currently on a Work Permit in the Cayman Islands, hereby state and depose under oath that:

- 1- On the day of today, August 11, 2023, approximately at 4:00 PM, while reversing to park my brown Dodge pick-up truck (License Plate No. 119-237) at Enverto Place, 98 Shedden Road; I accidentally hit the vehicle belonging to Mr. JULIAN WATLER, a white FORD F150 that was parked right there, because Mr. Watler's wife, Mercy, has a business at the place.
- 2- This was due to the fact that I had mechanical problems with my vehicle, didn't look correctly, and hit the said white FORD F150.
- 3- I am hereby assuming the total responsibility for this slight accident, because it was solely my fault.
- 4- In witness thereof I am signing this Statement of Facts on my freewill, to all legal purposes.

(Signed)

*Paul Clarke*

PAUL CLARKE

Signed before me, STAFFORD MATHEW BERRY, a Notary Public in and for the Cayman Islands, on this 11<sup>th</sup> day of August, 2023.- I CERTIFY. -----

*Stafford M. Berry*  
 STAFFORD M. BERRY  
 Notary Public of the Cayman Islands  
 My Commission expires January 31st, 2024  
 11/8/2023 Ref 21/2013

7.

This **Plaint** is filed by the BB & Associates, attorneys for the Plaintiff, whose address for service and correspondence 3<sup>rd</sup> floor, Landmark Square, West Bay Road, Grand Cayman, Cayman Islands, telephone 345-925-

8. After the accident, JW had an estimate for the repairs completed by Vampt Motors. The cost to repair JW's vehicle at Vampt Motors is KYD\$1,436.50. JW's truck was purchased new at Vampt Motors in or around 2015 and that is the only bodyshop, mechanic and dealership who has ever worked on JW's truck. That is the only place the Plaintiff takes JW's truck for all repairs and servicing.
9. Plaintiff provided a copy of the quote to the Defendant on 15<sup>th</sup> August 2023.
10. The Defendant told the Plaintiff that was too much money and he did not want to pay that
11. The Defendant repeatedly tried to get the Plaintiff to go to a friend's yard who can fix it for cheap. This friend's yard is located on Martin Drive, George Town, which does not have an autobody repair shop. This is a residential neighbourhood located in George Town, behind Rohelio's, Sea Inn, Phillip's Electrical, etc.
12. The Plaintiff told the Defendant as explained in paragraph 7 above and the Defendant got angry with the Plaintiff saying "well you don't want your car fixed."
13. The Plaintiff has tried repeatedly to have the Defendant pay the funds to Vampt Motors directly, even setting up a payment plan with Vampt Motors. All to no avail.
14. The Plaintiff, through himself and his friend, have tried repeatedly to speak to the Defendant to have him pay Vampt Motors to repair JW's vehicle. It has not worked and the Defendant refuses to pay Vampt Motors to get JW's vehicle repaired.
15. This is unfair to the Plaintiff who is only trying to get the vehicle fixed. The Defendant has become aggressive with the Plaintiff and has shouted at him telling him "it's people like you who think they are better than everyone. Just carry your truck to my friend and him can fix it. I will not pay all that money when my friend can fix it."
16. It is to be noted that the part of JW's vehicle which needs to be repaired is made out of aluminium so it requires specialized tools to repair the damage. This was confirmed by Vampt Motors. Vampt Motors has also confirmed that there are only certain licensed bodyshops in the Cayman Islands who are certified to repair and perform bodywork on aluminium parts/vehicles.
17. Therefore, the Defendant owes the Plaintiff KYD\$1,436.50. A copy of the invoice is attached.
18. The Plaintiff called and emailed the Defendant to make payments to reduce the debt. The Defendant has made no effort to make any payments.

19. The Defendant has failed to make any payment to reduce the debt.
20. The Defendant has admitted being at fault for the accident, admitted he would pay for the repairs, admitted to be driving a vehicle without insurance, yet is refusing to pay.

**AND THE PLAINTIFF CLAIMS:**

- (a) The sum of KYD\$1,436.50;
- (b) Interest in accordance with the law;
- (c) Costs; and
- (d) Such other relief as this Court deems fit.

If within the time for returning Acknowledgement of Service the Defendant pays to the Plaintiff the total amount claimed of CI\$1,436.50 (together with interest and costs) all further proceedings will be stayed.

Dated this 26<sup>th</sup> day of September 2023



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**JULIAN E. WATLER**  
Plaintiff

To: The Clerk of the Court

To: PAUL CLARKE  
c/o Gay Ebanks T/A Speedplus Mobile Auto Machanix  
Phone: 345-517-3329

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS  
HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO SC. OF 2023

BETWEEN: JULIAN E. WATLER PLAINTIFF

AND: PAUL CLARKE DEFENDANT

ACKNOWLEDGMENT 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 do intend to contest the action, in whole or in part, you must set out full particulars of your defense overleaf.

**Service of the Plaintiff is acknowledged accordingly.**

\_\_\_\_\_  
Defendant's Signature

Dated this            day of            , 2023

***See Overleaf***

**This Plaintiff** is filed by the BB & Associates, attorneys for the Plaintiff, whose address for service and correspondence 3<sup>rd</sup> floor, Landmark Square, West Bay Road, Grand Cayman, Cayman Islands, telephone 345-925-

**PARTICULARS OF DEFENCE**

(Here set out in numbered paragraph the grounds upon which the Defendant says that she is not liable to the Plaintiff, or is not liable for the full amount claimed)

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**Defendant's Signature**

**REMINDER - This form must be taken or sent to the Courts Office, George Town, Grand Cayman KY1-1106, Cayman Islands within 14 days of receipt otherwise a default judgment may be entered against you.**

**This Plaintiff** is filed by the BB & Associates, attorneys for the Plaintiff, whose address for service and correspondence 3<sup>rd</sup> floor, Landmark Square, West Bay Road, Grand Cayman, Cayman Islands, telephone 345-925-