



Plaint

SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_\_\_ of 2024

BETWEEN: ERIC KIMANI MBUGUA

PLAINTIFF

AND GORDON ODHIAMBO

DEFENDANT

AND TO: CLERK OF THE SUMMARY COURT

<p>Gordon Odhiambo  C/o Palm Heights Hotel,  747 West Bay Road, Seven Mile Beach, Grand Cayman  Wk. 345-949-1234  Cell. 345-321-3649</p>
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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 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 23rd day of Feb 2024

See overleaf for particulars of the Plaintiff's claim.

This PLAINT was filed by Kathleen Ryan, Attorney-at-Law, for the Plaintiff herein, whose address for service is Suite 203B, Level 2, Crighton Building, 256 Crewe Road, George Town, P.O. Box 308, Grand Cayman KY1-1501. Email: ryan.lawchambers@outlook.com

8. In October 2018 the Plaintiff agreed to loan the Defendant some more money to purchase another airline ticket for him to travel to the Cayman Islands. The Plaintiff sent the Defendant CI\$1200.00 by money transfer. Upon receipt of the money, soon thereafter the Defendant arrived in the Cayman Islands without incident.
9. Over a period of two (2) months, the Defendant successfully repaid the Plaintiff in full the CI\$1200.00.
10. Between the years 2019 and 2020 through WhatsApp the Plaintiff requested that the Defendant reimburse him the outstanding loan of CI\$2200.00. The Defendant failed to repay.
11. During the Covid-19 Island wide lockdown, the Defendant was unable to work. The Plaintiff understood the Defendant's difficulties and exercised patience.
12. After the Island wide Covid-19 lockdown had ended the Plaintiff requested the Defendant to start making payments. The Defendant refused.
13. The Plaintiff continued to make requests for repayment by sending the Defendant WhatsApp messages. The Defendant failed to acknowledge receipt.
14. In 2022 the Defendant stopped communicating with the Plaintiff.
15. On or about August 2022 the Plaintiff informed the Defendant that he would be seeking legal assistance to settle the matter. The Plaintiff retained Mr. John Furniss, Attorney-at-Law to assist him. The Defendant when spoken to by Counsel admitted that he owed the Plaintiff the sum claimed. The Defendant agreed to start making repayments commencing in November 2023. The Defendant failed to do so.
16. The Defendant to date has failed to reimburse the Plaintiff. As a result, the Plaintiff has suffered loss.

AND THE PLAINTIFF CLAIMS AGAINST THE DEFENDANT:

1. The sum of CI\$2,200.00
2. Interest calculated at the prescribed rate from July 2020 to date.
3. Fixed costs of \$250.00, or in the alternative costs to be assessed.
4. Legal costs pursuant to section 11 (3) of the Summary Court Rules 2004.
5. Such further and/ other relief as this Honourable Court may see fit.

 (on behalf of)

Plaintiff's Signature

Plaintiff's address for service:

C/o Kathleen Ryan  
Attorney-at-Law  
Suite 203B, Level 2,  
256 Crighton Building, Crewe Road,  
George Town, Grand Cayman

TO: THE CLERK OF THE SUMMARY COURT

AND TO: GORDON ODHIAMBO

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_\_\_ of 2024

BETWEEN: ERIC KIMANI MBUGUA

PLAINTIFF

AND GORDON ODHIAMBO

DEFENDANT

ACKNOWLEDGMENT OF SERVICE

1 State Defendant's name and address -

**GORDON ODHIAMBO**

C/o Palm Heights Hotel, Seven Mile Beach, West Bay Road  
Grand Cayman, Cayman Islands  
(345-321-3649)

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 \_\_\_\_\_, 2024

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)

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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.

This **PLAINT** was filed by Kathleen Ryan, Attorney-at-Law, for the **Plaintiff** herein, whose address for service is Suite 203B, Level 2, Crighton Building, 256 Crewe Road, George Town, P.O. Box 308, Grand Cayman KY1-1501. Email: [ryan.lawchambers@outlook.com](mailto:ryan.lawchambers@outlook.com)