

GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 751 OF 2000

BETWEEN: PROPRIETORS STRATA PLAN NO. 168 PLAINTIFF
AND: COLLIN REDDEN 1ST DEFENDANT
AND: KIARA REDDEN 2ND DEFENDANT

WRIT OF SUMMONS

TO: COLLIN AND KIARA REDDEN
TROPIC BREEZE #20
GEORGE TOWN,
GRAND CAYMAN.



THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs in respect of the claim set out on the next page.

Within 14 days after service of this Writ of Summons 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 these proceedings.

If you fail to satisfy the claim or return the Acknowledgment of Service form within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this *fl* 20 day of September, 2000.



NOTE:- This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue unless renewed by Order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

INDORSEMENT

The Plaintiff's claim is against the Defendants to recover the sum of CI\$2,176.43 being the overdue balance on account in respect of maintenance/insurance/strata fees due by the Defendants in connection with Townhouse # 20 as is mandated by the Plaintiff's Strata By-Laws.

Charles Adams Ritchie & Duckworth

**CHARLES ADAMS, RITCHIE & DUCKWORTH
ATTORNEYS-AT-LAW FOR THE PLAINTIFF**

This Writ was issued by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies

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**ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

Important. Read the accompanying Delay may result in judgment being direction and notes for guidance carefully entered against a Defendant whereby he before completing this form. If any may have to pay the costs of applying to information required is omitted or given set it aside.
wrongly, THIS FORM MAY HAVE TO BE RETURNED.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

Yes No

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box).

Yes

Service of the Writ is acknowledged accordingly

(Signed)
[Attorney] for
Address for Service:

Notes on address for service

Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

Defendant in person: where the defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

Indorsement by Plaintiff's attorney (or by Plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Indorsement by Defendant's Attorney (or by Defendant if suing in person) of his name, address and reference, if any, in the box below.

Filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of its said Attorneys-at-Law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Writ of Summons)".
4. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "partner in the firm of (.....)" after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorised to act on behalf of the company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a *guardian ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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BETWEEN:	PROPRIETORS STRATA PLAN NO. 168	PLAINTIFF
AND:	COLLIN REDDEN	1ST DEFENDANT
AND:	KIARA REDDEN	2ND DEFENDANT

STATEMENT OF CLAIM

1. The Plaintiff is a duly incorporated Strata corporation registered in accordance with the Strata Titles Registration Law, 1973 as Proprietors Strata Plan No. 168 having cause to manage, administer and insure all that common property situate at Registration Section: George Town commonly referred to as Tropic Breeze.
2. The Defendants are the registered owners of Townhouse number 20 Tropic Breeze.
3. That it is the obligation of each and every proprietor of a unit in Tropic Breeze to pay strata fees of CI\$160.00 per month in order to maintain the premises. The Defendant has not paid any strata fees for over 10 months thereby having an outstanding balance of CI\$2,176.43
4. By virtue of section 41(c)(ii)(A) of the Strata Bye-Laws, the Strata Committee is entitled to charge interest on unpaid strata fees at the rate of 4% per annum above the prime rate offered.

5. That despite numerous attempts to collect outstanding strata fees by the Treasurer of the Strata Committee, the Defendant has made no contact or arrangements with the Strata Committee to settle this outstanding amount.
6. That on 6th April, 2000, the Plaintiff, by its attorneys-at-law, Charles Adams, Ritchie & Duckworth, sent the Defendant a demand letter stating that failure to try and settle the account would result in commencement of proceedings to recover the outstanding debt.
7. Further that on the 10th July, 2000 at an executive strata meeting, the Defendants promised to make a payment towards the outstanding amount by 25th July, 2000. To date no payment has been received.
8. Despite demands made by the Plaintiff and its Attorneys-at-Law, and promises by the Defendants, they have failed and/or refused to settle this outstanding debt.

AND THE PLAINTIFF CLAIMS:

1. The amount of CI\$2,176.43
2. Interest pursuant to the Strata By-Laws of 4% per annum above prime rate.
3. Costs.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of CI\$2,176.43 (excluding fixed costs of CI\$500.00 and filing fees of CI\$150.00) further proceedings will be stayed. The money must be paid to the Plaintiff.

Charles Adams Ritchie & Duckworth
**CHARLES ADAMS, RITCHIE &
DUCKWORTH
ATTORNEYS-AT-LAW FOR THE PLAINTIFF**

This Statement of Claim was filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies.