

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2020

BETWEEN:

WILLIAM BRADY

PLAINTIFF

AND:

SHAMOO ELECTRIC LTD

DEFENDANT



WRIT OF SUMMONS

TO: Shamoo Electric Ltd., P.O. Box 11121, Unit #41 246A, Dorcy Drive, Industrial Park, George Town, Grand Cayman, Cayman Islands

THIS WRIT OF SUMMONS 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 the service of this Writ 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 stating therein whether you intend to contest these proceedings.

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

Issued this day of December 2020.

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.

STATEMENT OF CLAIM

1. At all material times the Plaintiff, Mr William Brady (d.o.b 23rd August 1955), carried on a trade as an electronics technician.
2. At all material times the Defendant, Shamoo Electric Ltd., carried on a business providing electrician and related services. The company's registered office is P.O. Box 11121, Unit #41 246A, Dorcy Drive, Industrial Park, George Town, Grand Cayman.
3. By a series of oral contracts made between the Plaintiff and the Defendant, the parties agreed:
 - i. That the Plaintiff would undertake *ad hoc* work for the Defendant at various job sites in Grand Cayman;
 - ii. That the Defendant would pay the Plaintiff \$50KYD per hour for the work done;
 - iii. That the Plaintiff would submit time sheets to the Defendant by way of demand for payment;
 - iv. That the Defendant would pay the money owed to the Plaintiff following receipt of those time sheets;
 - v. That the Plaintiff would purchase materials required for the work when necessary and the Defendant would reimburse him.
4. Pursuant to the above mentioned oral contracts the Plaintiff completed a series of work for the Defendant at the Cayman Turtle Centre ("CTC"), Morvil Bank and the Grove. The dates, hours and locations of that work is shown at Annex A.
5. Pursuant to the above mentioned contracts, the Plaintiff submitted to the Defendant the following timesheets:

Date of Submission	Total Hours Worked	Date Range	Location	Sum Claimed (KYD)
7 th August 2019	330.5	2 nd February 2019 – 22 nd July 2019	CTC; Morvil Bank	\$16,525
11 th February 2020	194	April 2019 – 6 th February 2020	CTC	\$9700
1 st March 2020	165.5	10 th December 2019 – 28 th February 2020	Grove	\$8275
4 th May 2020	133	2 nd March 2020 – 23 rd March 2020	Grove; CTC	\$6650
6 th July 2020	177	28 th May 2020 – 3 rd July 2020	Grove	\$8850
4 th September 2020	185.5	7 th July 2020 – 28 th August 2020	CTC	\$9275
Total				\$59,275.00

6. In addition, in the August 2019 timesheet the Plaintiff claimed a total of \$467.50 for materials that he had purchased at his own expense (\$317.60 claimed for materials used at Morvil Bank; \$150 claimed for port materials at CTC).

7. Following receipt of these time sheets, pursuant to the above contracts, the Defendant made the following payments to the Plaintiff:

Date of Payment	Amount Paid (KYD)
13 th December 2019	\$4900
January 2020	\$3400
March 2020	\$5550
26 th June 2020	\$6000
31 st July 2020	\$4500
September 2020	\$4000
Total	\$28,350

8. In breach of the above contracts, notwithstanding multiple demands for payment, the Defendant has failed to pay the Plaintiff the outstanding balance of \$30,925.
9. On the 14th September 2020 the Plaintiff made a final demand for payment by text message.
10. The Defendant remains indebted to the Plaintiff in the sum of \$30,925 at the date of the filing of this writ (excluding interest claimed below).

STATEMENT REGARDING INTEREST

11. The Plaintiff seeks pre- and post-judgment interest from the date that the said sum became due at the rate of 2 3/8% per annum on the sum due and owing until payment and in accordance with the provisions of the Judicature Law (2017 Revision) and the Judgment Debt (Rates of Interest) Rules as amended from time to time.
12. Interest is claimed from the 14th September 2020, which is the date that the Plaintiff gave to the Defendant as a final deadline for payment.
13. The amount of interest owing at the date of issue of this Writ is \$176.8.
14. The amount of interest accruing each day following the issue of this Writ is \$2.01.

And the Plaintiff claims:

- Payment of the said sum of \$30,925 and such further arrears as may in future accrue
- Interest
- Costs
- Further or other relief

If, within the time of returning the Acknowledgment of Service, the Defendant pays the total amount claimed of \$30,925 (together with interest and costs), further proceedings will be stayed. The money must be paid to the Plaintiff or his Attorney.



KSG

Attorneys-at-Law for the Plaintiff

ANNEX A – SCHEDULE OF WORK DONE

August 2019

DATE	TIME	HOURS	NOTE	LOCATION
FEBRUARY				
2/2/19	1200 – 1400	2	PROJECT 1	CTC
5/2/19	1500 – 1800	3	PROJECT 1	CTC
12/2/19	1100 – 1500	4	PROJECT 1	CTC
13/2/19	1000 – 1800	8	PROJECT 1	CTC
15/2/19	0800 – 1700	9	PROJECT 1	CTC
18/2/19	1030 – 1800	7.5	PROJECT 1	CTC
20/2/19	0800 – 1800	10	PROJECT 1	CTC
22/2/19	0800 – 1600	8	PROJECT 1	CTC
25/2/19	0800 – 1500	7	PROJECT 1	CTC
26/2/19	1330 – 1800	4.5	PROJECT 1	CTC
27/2/19	0800 – 1800	10	PROJECT 1	CTC
28/2/19	0800 – 1800	10	PROJECT 1	CTC
MARCH				
1/3/19	0830 – 1800	9.5	PROJECT 1	CTC
3/3/19	0800 – 1000	2	PROJECT 1	CTC
7/3/19	0800 – 1700	9	PROJECT 1	CTC
8/3/19	0800 – 1400	6	PROJECT 1	CTC
12/3/19	1130 – 1700	5.5	PROJECT 1	CTC
13/3/19	0800 – 1800	10	PROJECT 1	CTC
14/3/19	1000 – 1800	8	PROJECT 1	CTC
19/3/19	0800 – 1000	2	PROJECT 1	CTC
26/3/19	1330 – 1500	1.5	PROJECT 1 [meeting]	CTC
APRIL				
2/4/19	0900 – 1300	4	PROJECT 1	CTC
<i>TOTAL:</i>	<i>140.5</i>	<i>7025</i>		
4/4/19	1300 – 2100	8	PROJECT 2	CTC
5/4/19	0800 – 1700	9	PROJECT 2	CTC
6/4/19	0730 – 1300	5.5	PROJECT 2	CTC
8/4/19	0800 – 1700	9	PROJECT 2	CTC
9/4/19	0800 – 1700	9	PROJECT 2	CTC

THIS Writ and Statement of Claim was issued by KSG Attorneys-at-Law, 4th Floor Harbour Centre, 42 North Church Street, George Town. P.O. Box 2255 KY1-1107, Cayman Islands. (JK/01789)

10/4/19	0800 – 1600	8	PROJECT 2	CTC
11/4/19	0800 – 1700	9	PROJECT 2	CTC
12/4/19	0800 – 1600	8	PROJECT 2	CTC
<i>TOTAL:</i>	<i>65.5</i>	<i>3275</i>		
		24	Project Quote for Corporate Wifi	
		16	Project Quote	
		8	Port Cameras	
<i>TOTAL:</i>	<i>48</i>	<i>2400</i>		
JULY				
9/7/10	0900 – 2130	12.5		MORVIL BANK
10/7/19	0800 – 1900	11		MORVIL BANK
11/7/19	0800 – 1800	10		MORVIL BANK
12/7/19	0800 – 1600	8		MORVIL BANK
13/7/19	0800 – 1600	8		MORVIL BANK
15/7/19	0800 – 1600	8		MORVIL BANK
16/7/19	0800 – 1600	8		MORVIL BANK
17/7/19	0800 – 1600	8		MORVIL BANK
22/7/19	0900 – 1200	3		
<i>TOTAL:</i>	<i>76.5</i>	<i>3825</i>		
TOTAL	330.5	\$16,525	Plus 467.60 materials	\$16992.5

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11th February 2020

DATE	TIME	HOURS	NOTE	LOCATION
APRIL - JULY		45	Meeting with Andrew and Gavin for Fibre Research; Dr Mustin's extra phone and data outlet.	CTC
AUGUST				
9/8/19		2	Replace Access points for IT outsource	CTC
27/8/19		6	Updating and identifying removed equipment for storage and labelling it	CTC
SEPTEMBER				
September		16	Updating Schooner's Bar for the removal of linksys switches and mounting UPS off floor on to wall to allow cleaning	CTC
September		8	Poolside bar replacing cables from Freshwater pump room to bar	CTC
September		4	Conduit review confirmed route for Flow	CTC
NOVEMBER				
30/11/19		8	Installed new cables for new kiosk	CTC
DECEMBER				
5/12/19		3	office - install two new data and phone cables	CTC
18/12/19		6	Relocating cables and testing for new bar POS system	CTC
19/12/19		10	Installing three cat 6e cables for the removal of Flow box	CTC
JANUARY				
14/1/20 - 15/1/20		16	Install data cables at Schooner's Bar and Box Office Entrance; Replace data outlets in	CTC

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			Education building; Move camera in Schooners Bar to new bar position; Redirect camera in Schooner's Bar to replace removed camera	
16/1/20 – 18/1/20		19	Replace public wifi outlets as instructed by IT Outsource	CTC
22/1/20		8	Abattoir – phone and data outlet installed; 48 port switch installed; shelf for data switch installed	CTC
23/1/20		4	As above	CTC
24/1/20		4	As above	CTC
28/1/20		8	As above	CTC
29/1/20		7	As above	CTC
30/1/20		4	As above	CTC
FEBRUARY				
5/2/20 – 6/2/20		16	Install cable for TV in staff room; Test TV in Box office lobby and operate; Test and operate projector in Box Office Lobby; Install new password on door access for Chris Jackson in Yellow Cottage; Install cameras on Renee's computer; Remove cameras on Alan's computer	CTC
	TOTAL	194	\$9700	

1st March 2020

DATE	TIME	HOURS	NOTE	LOCATION
DECEMBER				
10/12/19	0900 - 1630	7.5		GROVE
11/12/19	0900 - 1630	7.5		GROVE
12/12/19	0900 - 1630	7.5		GROVE
13/12/19	0900 - 1630	7.5		GROVE
JANUARY				
9/1/20	0900 - 1630	7.5		GROVE
10/1/20	0900 - 1630	7.5		GROVE
31/1/20	1000 - 1200	2		GROVE
FEBRUARY				
4/2/20	0900 - 1630	7.5		GROVE
7/2/20	0900 - 1630	7.5		GROVE
10/2/20	0900 - 1630	7.5		GROVE
11/2/20	0800 - 1600	8		GROVE
12/2/20	0800 - 1600	8		GROVE
13/2/20	0800 - 1600	8		GROVE
17/2/20	0800 - 1600	8		GROVE
18/2/20	0800 - 1600	8		GROVE
19/2/20	0800 - 1600	8		GROVE
20/2/20	0800 - 1600	8		GROVE
21/2/20	0800 - 1600	8		GROVE
24/2/20	0800 - 1600	8		GROVE
25/2/20	0800 - 1600	8		GROVE
27/2/20	0800 - 1600	8		GROVE
28/2/20	0800 - 1600	8		GROVE
	TOTAL	165.5	\$8275	

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4th May 2020

DATE	TIME	HOURS	NOTE	LOCATION
MARCH				
2/3/20	0800 – 1500	7		GROVE
2/3/20	1600 – 1700	1	Checking video footage in retail for Peggy	CTC
3/3/20	0800 – 1600	8		GROVE
4/3/20	0800 – 1600	8		GROVE
5/3/20	0800 – 1600	8		GROVE
6/3/20	0800 – 1600	8		GROVE
6/3/20	1600 – 1700	1	Replacing damaged outlet in Schooner's bar	CTC
9/3/20	0800 – 1600	8		GROVE
10/3/20	0800 – 1600	8		GROVE
11/3/20	0800 – 1600	8		GROVE
12/3/20	0800 – 1600	8		GROVE
13/3/20	0800 – 1600	8		GROVE
14/3/20	0800 – 1200	4		GROVE
16/3/20	0800 – 1600	8		GROVE
17/3/20	0800 – 1600	8		GROVE
18/3/20	0800 – 1600	8		GROVE
19/3/20	0800 – 1600	8		GROVE
20/3/20	0800 – 1600	8		GROVE
23/3/20	0800 – 1600	8		GROVE
	TOTAL	133	\$6650	

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6th July 2020

DATE	TIME	HOURS	NOTE	LOCATION
MAY				
28/5/20	1100 - 1600	5		
29/5/20	0730 - 1530	8		
JUNE				
1/6/20	0800 - 1600	8		
5/6/20	0800 - 1600	8		
8/6/20	0800 - 1600	8		
9/6/20	0800 - 1600	8		
10/6/20	0800 - 1600	8		
11/6/20	0800 - 1600	8		
12/6/20	0800 - 1600	8		
13/6/20	0800 - 1600	8		
15/6/20	0800 - 1600	8		
16/6/20	0800 - 1600	8		
17/6/20	0800 - 1600	8		
18/6/20	0800 - 1600	8		
19/6/20	0800 - 1600	8		
22/6/20	0800 - 1600	8		
23/6/20	0800 - 1600	8		
24/6/20	0800 - 1600	8		
25/6/20	0800 - 1600	8		
26/6/20	0800 - 1200	4		
29/6/20	0800 - 1600	8		
JULY				
2/7/20	0800 - 1600	8		
3/7/20	0800 - 1600	8		
	TOTAL	177	\$8850	

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4th September 2020

DATE	TIME	HOURS	NOTE	LOCATION
JULY				
7/7/20		8		
8/7/20		8		
9/7/20		8		
10/7/20		4	Cameras	CTC
13/7/20		7.5		
14/7/20		8		
15/7/20		8		
16/7/20		8		
17/2/20		8	Fire alarm doors meeting	CTC
20/7/20		8		
21/7/20		8		
22/7/20		2		
23/7/20		5		
24/7/20		2.5		
24/7/20		1	Video footage	CTC
27/7/20		8		
28/7/20		6		
29/7/20		8		
30/7/20		5		
31/7/20		4		
31/7/20		3.5	Door access Service office	CTC
AUGUST				
20/8/20		8		
20/8/20		1	Door access education building	CTC
21/8/20		8		
24/8/20		8		
25/8/20		8		
26/8/20		8		
27/8/20		8		
28/8/20		4		
28/8/20		4	Door access North Gate	CTC
	TOTAL	185.5	\$9275	

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS

1. The accompanying form of Acknowledgment of Service should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person.

After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

See over for notes for guidance

Please complete overleaf

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.

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.

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

KSG
Attorneys at Law
4th Floor Harbour Centre
42 North Church Street
PO Box 2255 KY1-1107
George Town
Grand Cayman

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