



SUMMARY COURT AT GEORGE TOWN

CAUSE NO. SC _____ OF 2022

BETWEEN:

Anthony Tulloch

Plaintiff

AND:

Sharnett Garib

Defendant

PLAINT

To the Defendant

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 495, George Town, Grand Cayman KY1-1106, Cayman Islands, 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 day of **January** 2022

See overleaf for particulars of the Plaintiff's claim

PARTICULARS OF CLAIM

- 1 The Plaintiff and defendant were in an intimate relationship. The plaintiff bought a damaged 2018 white Jeep Cherokee and fixed it which he does as a profession. He caused the said vehicle to be registered in the name of the defendant as he was off island and would the defendant be solely in charge of the vehicle in his absence. Further she would not be able to conduct any business concerning the vehicle without her name being on the registration in his absence.

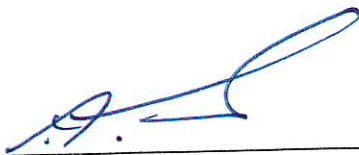
- 2 It was agreed that the parties would split the proceeds of the sale of vehicle in a 60/40 proportion when or if the vehicle was to be sold. (see attached agreement dated 15th August 2020.) As a result of the defendant's poor maintenance of the vehicle, it became undriveable and had to be parked. The defendant thereafter took off the insurance and suspended the registration and told the defendant that he was a fool and there is nothing he can now do because it is in her name only and that she only calls the shots now. The plaintiff is unable to register the vehicle or drive it and has received an offer for the vehicle following a valuation being obtained for some 9500.00kyd. Further damage has since occurred to the vehicle since the valuation was done. The plaintiff has refused to sign the title documents, despite repeated requests and has demanded 10,000.00kyd from the plaintiff, if she is to agree to sign the title documents for the sale to be effected, even though she is aware of the valuation report.

AND the Plaintiff seeks:

- (1) An order of the court authorising the Clerk of Court to sign the transfer documents to effect the sale as the plaintiff has unreasonably refused to sign the transfer of the title documents.

- (2) Declaration that the defendant is in breach of the agreement

- (3) Costs



Plaintiff's Signature

517 9809

This plaint is filed by the Plaintiff by himself whose address for service is 12 Hope Drive, Apt 5A, George Town, Telephone 517 9809

15/08/20


Agreement

By the attachment of their signatures below, the parties to this agreement confirm their full and unreserved assent:


1. That Sharnett Garib holds the 2018 white Jeep Cherokee licensed 180 167 on trust for herself and Anthony Tulloch, and that the registration of the said vehicle in her sole name was with the direction of Anthony Tulloch with the understanding that any directions as to its disposal by sale, given his absence from the Cayman Islands, will only be by his written approval as to the price for its sale and any other terms that he may see fit.
2. That Sharnett Garib agrees to keep the said vehicle in the condition as it was delivered, will not do or cause any damage or harm by vandalism or otherwise to be done upon the said vehicle.
3. That the parties agree that upon directions in writing being given by the said Anthony Tulloch for the sale of the said vehicle, the proceeds will be shared in the ratio of 60/40, to Anthony Tulloch and Sharnett Garib respectively.




 Sharnett Garib
 16/08/20



 for Anthony Tulloch



 (Crister) Brady
 Witnessed by Attorney at Law
CRISTER ANDRÉ BRADY
 Attorney-at-Law



 Witnessed by
CRISTER ANDRÉ BRADY
 Attorney-at-Law

IN THE SUMMARY COURT AT GEORGE TOWN

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BETWEEN:

Anthony Tulloch

Plaintiff

AND:

Sharnett Garib

Defendant

ACKNOWLEDGEMENT 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 defence overleaf.

Service of the Plaintiff is acknowledged accordingly.

Defendant's Signature

DATED this day of January, 2022

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)

COUNTERCLAIM

AND the Defendant claims:

Defendant's Signature

REMINDER - This form must be taken or sent to the Court Office, PO Box 495, Grand Cayman KY1-1106 Cayman Islands within 14 days of receipt otherwise a default Judgment may be entered against you.