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PLAINT

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

CAUSE NO.SC                      2022

BETWEEN:                      Margaret Rose Garcia                      PLAINTIFF  
AND:                              Austin Sanchez T/A K & S Millwork                      DEFENDANT

TO: Austin Sanchez T/A K & S Millwork  
36 Hasting Crescent, West Bay, Grand Cayman

**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's Office, P.O.Box 495, Grand Cayman, the accompanying Acknowledgment of Service form stating therein whether you intend to contest this action. If you intend to contest the action 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 Acknowledgment of Service form containing full particulars of your defence, the Plaintiff may apply for a Default judgment without further notice to you.

Issued this 25<sup>th</sup> day of May, 2022.

A handwritten signature in black ink, appearing to read "Morris Garcia", is written over a horizontal line.

Morris M. Garcia

Filed by Morris Garcia, 1<sup>st</sup> floor, Artemis House, 67 Fort St, GT, Grand Cayman, Attorney-at-law for the Plaintiff herein.

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PARTICULARS OF CLAIM

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1. By a verbal agreement in or around October 2021, the plaintiff and the defendant agreed that the defendant would perform certain works for the plaintiff as detailed in the attached invoice dated November 4, 2021.
2. Under the terms of the agreement, the parties agreed that the defendant will provide the labour and materials for a total cost of CI\$1,600.00.
3. That on or about November 4, 2021, the plaintiff paid the defendant the sum of CI\$800.00 by way of a deposit which he requested so as to commence the said works.
4. That the defendant agreed with the plaintiff that he would have the said works completed by or before December 31, 2021.
5. That on a later date, the defendant picked up one of the cabinet doors, with knob/handle from the plaintiff's premises so as to match the colour & design with the ones he was contracted to make for the plaintiff.
6. That since receiving the funds, the defendant has not completed the works, giving the plaintiff excuses on top of excuses for not being able to do so.
7. The plaintiff has, on numerous occasions, requested the defendant to commence and complete the works detailed in the said invoice or alternatively to return her CI\$800.00 and the cabinet door, but he has, to date, failed to do either.
8. That accordingly, the defendant is in breach of his contract with the Plaintiff.
9. That by reason of the foregoing, the plaintiff has suffered loss and damage

AND THE PLAINTIFF CLAIMS FROM THE DEFENDANT:-

1. The sum of CI\$800.00.
2. Interest at the statutory rate from date of filing of the Plaint to date of full payment.
3. Costs in the sum of CI\$205.00.

DATED this 25<sup>th</sup> day of May, 2022.

  
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Morris Garcia

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ACKNOWLEDGMENT OF SERVICE

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IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

CAUSE No. SC 2022

BETWEEN: Margaret Rose. Garcia PLAINTIFF  
 AND: Austin Sanchez T/A K & S Millwork DEFENDANT

**ACKNOWLEDGMENT OF SERVICE**

1. State the 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 need 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 particulars of your defence overleaf.

Service of the PLAINT is acknowledged accordingly.

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Defendant's Signature

Dated this       day of       , 2022

SEE OVERLEAF

**PARTICULARS OF DEFENCE**

( Here set out in numbered paragraphs the grounds upon which the Defendants say that they are not liable to the Plaintiffs, or are 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, P.O.Box 495, GT, Grand Cayman within 14 days of receipt, otherwise Default Judgment may be entered against you.