



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 issued unless renewed by order of the Court.

**IMPORTANT**

Directions for Acknowledgement of Services are given with the accompanying form.

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**STATEMENT OF CLAIM**

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1. At all material times, the Plaintiff, Maiya Alicia Roberts, of 24 Bloomfield Terrace, London, UK, was the owner and operator of a Vodra Electric pedal bicycle.
2. The Defendant, Ian Anthony Edwards, of Beach Bay, Bodden Town, Cayman Islands, was at all material times the operator of a 2003 Ford Explorer, with motor vehicle registration number: Q3325, being owned by Sophia Tobutt Williams.
3. On or about 10 October 2021, at approximately 6:07 p.m., the Plaintiff was travelling southbound on South Church Street approaching the junction of Boilers Road (the “Junction”). The Defendant was travelling westbound along Boilers Road approaching the Junction. The Defendant began to dangerously exit the Junction by making a right-hand turn onto South Church Street. The Plaintiff swerved out of the path of the Defendant to avoid the collision and fell, sustaining injuries.
4. As a result of the incident, the Plaintiff was injured and had to be transported by ambulance to the George Town Hospital.
5. The said incident was caused by the Defendant’s negligence and/or breach of his statutory duties under Sections 67 and 68 of the *Traffic Act* (2023 Revision).

**PARTICULARS**

The Defendant was negligent and is guilty of the breach of his statutory duties by:

- a) Entering the roadway when it was unsafe to do so;
  - b) Failing to apply his brakes whether in time or at all;
  - c) Failing to keep any or any proper look out in front of him;
  - d) Failing to manage the vehicle so as to be able to stop within the limit of vision available at any given time;
  - e) Failing to exercise due care and attention when using the road and failing to have due regard to the safety of other road users;
  - f) Failing to see the Plaintiff in time or at all;
  - g) Failing to exercise reasonable skill and care to be expected of a reasonably skillful and careful driver in the circumstances;
  - h) Placed his vehicle in the roadway when it was not safe or clear to do so.
6. By reason of the Defendant’s negligence and breach of duty, the Plaintiff has sustained injuries and has suffered loss and damage.

**PARTICULARS OF INJURIES**

7. The Plaintiff, whose date of birth is 23 June 2000, was 21 years old at the date of the incident. The Plaintiff was treated by ambulance personnel at the scene and attended the Emergency Department of George Town Hospital for further treatment.
8. The Plaintiff suffered serious injuries resulting from the incident and continues to suffer as a result of the injuries sustained. The injuries include, but are not limited to, the following:
  - a. Skin abrasions and lacerations to right shoulder, right arm and back;
  - b. Fracture to left elbow;
  - c. Lower back pain;
  - d. Situational Anxiety;
  - e. Flashbacks; and
  - f. Post-Traumatic Stress Syndrome.
9. The Plaintiff continues to suffer from several of the above injuries and is impacted by them on a daily basis. Full particulars of the Plaintiff's injuries and their impact will be provided prior to trial.

**PARTICULARS OF SPECIAL DAMAGE**

10. The Plaintiff has suffered loss and incurred expenses as a result of the incident which are ongoing. Full particulars of special damage will be supplied at a later date by way of a schedule of loss, including but not limited to claims for medical treatment, travel, gratuitous care, interest and costs. Full particulars of the Plaintiff's special damages and losses, which are continuing, will be provided prior to trial.
11. The Plaintiff claims pre and post judgment interest on special damages from the date of loss pursuant to section 34 of the *Judicature Act (2021 Revision)* and in accordance with the *Judgment Debts (Rates of Interest) Rules* (as amended).
12. The Plaintiff claims pre and post judgment interest on general damages from the notice of the claim pursuant to section 34 of the *Judicature Act (2021 Revision)* and in accordance with the *Judgment Debts (Rates of Interest) Rules* (as amended).

**AND THE PLAINTIFF CLAIMS:**

- A. General damages;
- B. Special damages;
- C. Pre-judgment and post-judgment interest on special damages from the date of loss pursuant to the *Judicature Act* (2021 Revision) and the *Judgment Debts (Rates of Interest) Rules* (as amended); or
- D. At such rate this Honourable Court deems fit;
- E. Pre-judgment and post-judgment interest on general damages from the date of notice of the claim pursuant to the *Judicature Act* (2021 Revision) and the *Judgment Debts (Rates of Interest) Rules* (as amended); or
- F. At such rate this Honourable Court deems fit; and
- G. Costs.

Dated this 9<sup>th</sup> day of July 2024



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**BROADHURST LLC**  
Attorneys-at-Law for the Plaintiff

This Writ of Summons and Statement of Claim was issued by Broadhurst LLC, Attorneys-at-law for the Plaintiff, whose address for service is 4<sup>th</sup> Floor, Monaco Towers, 54 Edward Street, P.O. Box 2503, Grand Cayman, KY1-1104, Cayman Islands

**INDORSEMENT AS TO INSURER OF MOTOR VEHICLE**

The Plaintiff's claim arises out of the use of a motor vehicle on a public road. The insurer of the vehicle of the Defendant named herein is Saxon Insurance Company, 13 Saturn Close, George Town, Grand Cayman KY1-1102, Cayman Islands.

**INDORSEMENT AS TO INTEREST**

Pre-judgment and post-judgment interest on special damages from the date of loss pursuant to the *Judicature Act (2021 Revision)* and the *Judgment Debts (Rates of Interest) Rules* (as amended).

Pre-judgment and post-judgment interest on general damages from the date of notice of the claim pursuant to the *Judicature Act (2021 Revision)* and the *Judgment Debts (Rates of Interest) Rules* (as amended).

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE  
OF WRIT OF SUMMONS**

1. The accompanying form of *Acknowledgement 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, PO Box 495, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgement 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 endorsed on the Writ (i.e. the words “Statement of Claim” appear on the top of page 2). The defence must be served within fourteen (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 endorsed on the Writ, the defence need not be served until fourteen (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 fourteen (14) days after his Acknowledgement, 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.

**Please complete overleaf**

**Notes for Guidance**

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement of Service and return it to the Courts Office.
2. For the purpose of calculating the period of fourteen (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 its 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 authorized to act on behalf of the Company, but the Company can take no further steps in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL HEALTH 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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
CIVIL DIVISION

CAUSE NO: OF 2024

BETWEEN:

MAIYA ALICIA ROBERTS

Plaintiff

-AND-

IAN ANTHONY EDWARDS

Defendant

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ACKNOWLEDGEMENT OF SERVICE  
OF WRIT OF SUMMONS

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If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY.

**Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.**

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

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

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

Yes [ ] No [ ]

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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 [ ] No [ ]

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Service of the Writ is acknowledged accordingly

(Signed) \_\_\_\_\_  
[Attorney] for  
[Defendant in Person]  
Address for service:

*Please see overleaf...*

**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 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.*

**BROADHURST LLC**  
ATTORNEYS-AT-LAW  
4<sup>th</sup> FLOOR MONACO TOWERS  
54 EDWARD STREET  
GEORGE TOWN  
P.O. BOX 2503  
GRAND CAYMAN  
KY1-1104

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

[Empty box for Defendant's Attorney endorsement]