



GRAND COURT OF THE CAYMAN ISLANDS
IN

CAUSE NO. G OF 2025

BETWEEN:

THE PROPRIETORS, STRATA PLAN NO. 275

PLAINTIFF

AND:

ROBERT M JAMIESON

DEFENDANT

WRIT OF SUMMONS

TO: Robert M Jamieson of PO Box 31288, Grand Cayman KY1-1206, 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 495G, 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 on this the 4th day of April 2025.

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

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
(Ref: **CF/5090/00002**)

STATEMENT OF CLAIM

1. The Plaintiff is a body corporate established pursuant to section 5 of the Strata Titles Registration Act (2013 Revision) (the "Act") and is made up of the proprietors, at any given time, of the strata lots comprising strata plan no 275 (the "Strata Plan"), being the condominium development known as Ocean Pointe Villas.
2. At all material times, the Defendant was and is the registered proprietor of one of the Strata lots forming part of the Strata Plan, namely Block 3D, Parcel 157H27, known as Unit 49 Ocean Pointe Villas (the "Property").
3. The control, management, administration, use and enjoyment of the Strata lots and common property that form part of the Strata Plan, including the Property, is regulated by its the bye-laws registered against the Strata Plan (the "Bye-Laws").
4. Pursuant to the Bye-Laws:
 - a. clause 6.1(b), the Defendant is required to pay all rates, taxes, charges, outgoings and assessments in respect to the Property;
 - b. clause 6.1(c)(i) and (ii), the Defendant is required to pay the Plaintiff within 14 days of demand or at such times as the Plaintiff shall from time to time determine his due proportion of contributions to the administrative expenses of the Plaintiff and all other costs and expenses incurred by the Plaintiff in connection with the performance of its duties under the Act and the Bye-Laws within 14 days of demand;

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
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- a. clause 6.1(c)(iii) the Defendant is required, in the event of payment not being made within 14 days of demand, to pay interest at the minimum rate of 13% per annum, accruing on a daily basis.
5. The Plaintiff levies the contributions that the Defendant is required to pay the Plaintiff pursuant to clause **6.1** of the Bye-Laws by issuing monthly invoices to the Defendant that record the amount payable that month and any amounts that the Defendant might be in arrears.
6. Each invoice sent to the Defendant constitutes demand for payment of the amounts due pursuant to that invoice.
7. As at the date of filing this Writ, being 4 April 2025, the Defendant is in arrears to the Plaintiff in the sum of CI\$23,842.59, including interest due under Bye-Law 6.1(c)(iii) (the "Debt"). The Debt is comprised as follows:
 - a. Principle: CI\$23,817.11
 - b. Interest: CI\$25.45
8. The Defendant has breached the Bye-Laws by failing or refusing to pay the Debt.
9. By reason of the Defendant's breach of the Bye-Laws the Plaintiff has suffered loss and damage and seeks to enforce its rights against the Defendant in accordance with the said Bye-Laws.

Particulars of Loss

Strata Fees

The Plaintiff has suffered in the amount of the Debt being CI\$23,842.59 as at 4 April 2025.

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The Plaintiff is entitled to the payment of the Debt and contributions that it levies together with interest up to the date of trial. Such loss is expected to continue to date of trial. Full and further particulars of which will be provided in advance of trial.

Legal Expenses

By reason of the Defendant's breach of the By-Laws the Plaintiff has incurred legal expenses for which the Defendant is, in accordance with Clause 6.1(c)(ii) required to pay on a full indemnity basis.

As at the date of issue of the Plaint the Plaintiff has incurred the following reasonable expenses: -

Professional fees and disbursements - Nelsons Attorneys-at-Law CI\$1,000.00

Such loss is expected to continue to date of trial. Full and further particulars of which will be provided in advance of trial.

10. Further, the Plaintiff seeks and is entitled to interest from the date of filing this Writ until the date of judgment and post-judgment interest in accordance with clause 6.1(c)(iii) of the Bye-Laws the particulars are set out in the table below and continuing at the daily rate of CI\$8.48 until judgment or sooner payment calculated as follows:

		Rate	No. of Days	Daily Rate
Statement Amount	CI\$23,817.11	13%	3	CI\$8.48
Interest since last statement	CI\$25.48			
Start Date	1 April 2025			
End Date	4 April 2025			

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
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11. Alternatively, the Plaintiff seeks and is entitled to interest pursuant to section 34(1) of the Judicature Act (2021 Revision) from and to such dates, and in such amounts, and at such rates, as this Honourable Court thinks just.

AND THE PLAINTIFF CLAIMS:

1. Principal of CI\$23,817.11;
2. Interest on the following terms:
 - a. CI\$25.45 to the date of the Writ;
 - b. CI\$8.48 per day from the date of the Writ to the date Judgment is entered;
 - c. Post-Judgment interest from the date of judgment until the date payment of the judgment debt in full.
3. Interest continuing at the daily rate of CI\$8.48, as set out in paragraph 10 above, alternatively at such rate from such date and on such amount as this honourable Court thinks just.
4. Costs on an indemnity basis pursuant to clause 6.1(c)(ii) of the Bye-Laws .
5. Such further and/or other relief as this honourable Court deems appropriate.

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
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If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of **CI\$23,842.59** together with costs and interest, further proceedings will be stayed. The money must be paid to the Plaintiff or their Attorney.



Nelsons Legal
Attorneys for the Plaintiff

Plaintiff's address for service:

Nelsons Legal, The Grand Pavilion, 802 West Bay Road, George Town, Grand Cayman, Cayman Islands.

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
(Ref: **CF/5090/00002**)

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
(Ref: **CF/5090/00002**)

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE NO. G OF 2025

BETWEEN:

THE PROPRIETORS, STRATA PLAN NO. 275

PLAINTIFF

AND:

ROBERT M JAMIESON

DEFENDANT

ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS

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.

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 No

Service of the Writ is acknowledged accordingly

Signed

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands. (Ref: **CF/5090/00002**)

Attorney for the Defendant

Address for service:

Please complete 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.

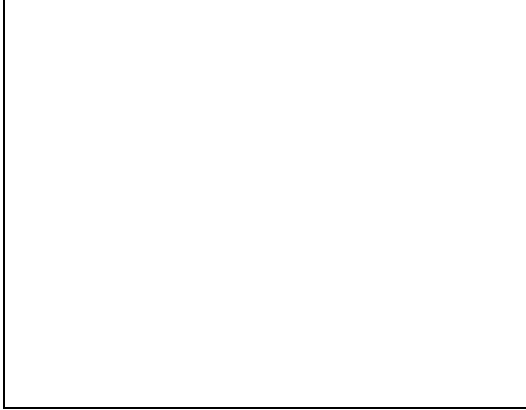
Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited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

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

Nelsons Attorneys at Law PO Box 30069 802 West Bay Road Grand Cayman KY1-1201 Ref: CF/5090/00002

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

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
(Ref: **CF/5090/00002**)



This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
(Ref: **CF/5090/00002**)

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 495, 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 instalments or otherwise.

See over for notes for guidance

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
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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.

This **Writ and Statement of Claim** was issued by Nelsons Legal, attorneys for the Plaintiff, whose address for service is that of their said attorneys at The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands.
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