



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

**CAUSE NO. G                      OF 2025**

**BETWEEN:**

**THE PROPRIETORS, STRATA PLAN NO. 849**

**PLAINTIFF**

**AND:**

**KRYSTLE NICOLE BARRET**

**DEFENDANT**

**WRIT**

**TO THE DEFENDANT:**

**Krystle Nicole Barret of PO Box 2242, Grand Cayman KY1-1107, Cayman Islands**

**THIS WRIT** has been issued against you by the above-named Writ in respect of the claim set out on the next page.

**Within fourteen (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 GT, George Town, Grand Cayman, the accompanying Acknowledgement of Service stating therein whether you intend to contest this action. If you intend to defend this action, in whole or in part, you must set out **full particulars of your defense** in the space provided in the Acknowledgement of Service form.

**If you fail** to satisfy the claim or to return the Acknowledgement of Service form containing full particulars of your defense, the Writ may apply for a **default judgment** without further notice to you.

**Issued** on this the 4<sup>th</sup> day of August 2025.

**IMPORTANT**

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

This **WRIT** was filed by Nelsons Legal whose address for service is The Grand Pavilion, 802 West Bay Road, PO Box 30069, Grand Cayman, KY1-1201, Cayman Islands. (Ref: CF/7378/00001)

**PARTICULARS 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 849 (the "Strata Plan"), being the condominium development known as Oasis Townhomes.
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 24B, Parcel 206H8, known as Unit 8, Oasis Townhouses (the "Property").
3. In the absence of Bye-Laws having been made by the Plaintiff corporation, pursuant to Section 21 (2) Strata Titles Registration Act (2013 Revision) (the "Act"), 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 the by the bye-laws set forth in Schedule 1 and 2 of the Act.
4. Pursuant to Schedule 1 of the Act.
  - a. Schedule 1(1)(b), the Defendant shall pay all rates, taxes, charges, outgoings and assessments that may be payable in respect of his strata lot.
  - b. Schedule 1(3)(f) the Plaintiff may do all things reasonably necessary for the enforcement of the bye-laws.
5. Pursuant to the Judgment Debt (Rates of Interest) Rules (2021 Revision), promulgated in terms of the Judicature Act (2021 Revision) (the "Rules"):

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- a. Section 4(a), the Plaintiff is entitled to simple pre-judgment interest upon a debt at a rate not exceeding the rate prescribed in Schedule 12 to the Rules currently being 2.375%.
  - b. Section 5(a), the Plaintiff is entitled to simple post-judgment interest a debt at a rate not exceeding the rate prescribed in Schedule 12 to the Rules being 2.375%.
6. The Plaintiff levies the contributions that the Defendant is required to pay the Plaintiff pursuant to section 6(1)(2)(b) of the Act by issuing monthly invoices to the Defendant that record the amount payable that month and any amounts that the Defendant might be in arrears.
7. Each invoice sent to the Defendant constitutes demand for payment of the amounts due pursuant to that invoice.
8. As at the date of filing this Writ, being 4 August 2025, the Defendant is in arrears to the Plaintiff in the sum of CI\$20,912.40, including interest due under the Rules and costs (the "Debt"). The Debt is comprised as follows:
  - a. Principal: CI\$19,912.40
  - b. Interest: CI\$16.14
  - c. Fixed costs CI\$1,000.00
9. The Defendant has breached the Act by failing or refusing to pay the Debt.
10. By reason of the Defendant's breach of the Act the Plaintiff has suffered loss and damage and seeks to enforce its rights against the Defendant in accordance with the Act.

### **Particulars of Loss**

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*Strata Fees*

The Plaintiff has suffered in the amount of the Debt being CI\$20,912.40 as at 4 August 2025.

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 Act the Plaintiff has incurred legal expenses for which the Defendant is liable in the discretion of this Honorable Court.

As at the date of issue of the Writ, 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.

11. 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 the Rules, particulars are set out in the table below and continuing at the daily rate of CI\$0.59 until judgment or sooner payment calculated as follows:

|                               |               | Rate   | Days | Daily Rate |
|-------------------------------|---------------|--------|------|------------|
| Statement Amount              | CI\$19,906.26 | 2.375% | 3    | CI\$2.05   |
| Interest since last statement | CI\$6.14      |        |      |            |

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|            |               |  |  |  |
|------------|---------------|--|--|--|
| Start Date | 1 August 2025 |  |  |  |
| End Date   | 4 August 2025 |  |  |  |

12. 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\$19,912.40
2. Interest on the following terms:
  - a. CI\$6.14 to the date of the Writ;
  - b. CI\$2.05 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\$2.05, as set out in paragraph 11 above, alternatively at such rate from such date and on such amount as this Honourable Court thinks just.
4. Costs as this Honourable Court thinks just.
5. Such further and/or other relief as this Honourable Court deems appropriate.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of **CI\$20,912.40** together with costs and interest, further proceedings will be stayed. The money must be paid to the Plaintiff or their Attorney.

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**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.

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**IN THE SUMMARY COURT OF THE CAYMAN ISLANDS****CAUSE NO. SC                      OF 2025****BETWEEN:****THE PROPRIETORS, STRATA PLAN NO. 849****PLAINTIFF****AND:****KRYSTLE NICOLE BARRET****DEFENDANT****ACKNOWLEDGEMENT OF SERVICE**

**If you intend to instruct an Attorney to act for you, give that Attorney 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 the Defendant may have to pay the costs of applying to set it aside.

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1. State Defendant's name and Address:

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2. State whether the Defendant intends to contest the action (tick box)

☐ YES

☐ NO

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3. If the claim against the Defendant is for a debt or liquidated demand, AND the Defendant 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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4. If you intend to contest the action, in whole or in part, you must set out full particulars of your defence overleaf.

**Service of the Writ is acknowledged accordingly**

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**Defendant's Signature / Attorney for**

**Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2025**

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

**Nelsons Legal**  
The Grand Pavilion  
802 West Bay Road  
George Town  
Grand Cayman  
Ref: CF/7378/00001

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

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**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE**

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 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 Acknowledgement 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**

**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 Court's 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 authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on his 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.

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