



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

CAUSE NO: OF 2026

BETWEEN:

MELESSIA ROMAYNE DALEY

Plaintiff

AND

TASTE BUDS RESTAURANT LTD

Defendant

WRIT OF SUMMONS

TO: Taste Buds Restaurant Ltd
PO Box 10083
77 Abbey Way
Grand Cayman
KY1-1101

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 this day of April 2026.

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.

STATEMENT OF CLAIM

1. The Plaintiff, Melessia Romaine Daley, is an individual who resides at 287 Mahogany Drive, Prospect, Grand Cayman, Cayman Islands, was at all material times a lawful employee of the Defendant.
2. The Defendant, Taste Buds Restaurant, Murryson Plaza, 6 Eclipse Drive, George Town, Grand Cayman, was and is at all relevant times the owner/occupier of a restaurant and employer of the Plaintiff.
3. On 10 May 2023, the Plaintiff was working at the Defendant's premises as a kitchen helper. She entered the kitchen through the back door of the restaurant, slipped on the floor, and fell backwards, causing her to suffer injury.
4. It later transpired that one of her colleagues had been washing and preparing meat and that the floor had gotten wet as a result. No "WET FLOOR" sign had been put in place, or any other warning that would have alerted the Plaintiff to the hazard.
5. The said injuries, loss and damage were caused by the negligence and/or breaches of duty of the Defendant, and/or its servants or agents.

PARTICULARS OF NEGLIGENCE

The Defendant and/or its servants or agent were guilty of negligence and/or breach of duty in that:-

- a) Failing to take any or any reasonable care to see that the Plaintiff would be reasonably safe in using the premises as an employee;
- b) Failing to implement and follow safety procedures while performing potentially hazardous tasks;
- c) Failing adequately or at all to eliminate the hazard;
- d) Failing to provide appropriate flooring (e.g., a rubber drainage mat) to prevent slips on wet floors;
- e) Failing to give the Plaintiff any or adequate or effective warning of the presence of a hazard;
- f) Failing to exercise due care and attention;

g) Failing to take reasonable care in all the circumstances.

6. Further or alternatively, the Plaintiff will rely on the doctrine of *res ipsa loquitur*.
7. As a direct and foreseeable consequence of the Defendant's negligence, the Plaintiff suffered injuries and has suffered loss and damage.

PARTICULARS OF INJURIES

8. The Plaintiff, whose date of birth is 04 October 1976, was 46 years old at the date of the incident. As a result of the injuries sustained, the Plaintiff was driven to the hospital by her employer, Chris Moodie, due to severe pain in both shoulders where she broke her fall. The Plaintiff continues to suffer as a result of the injuries sustained. These injuries include:
 - a) Injury to her right shoulder;
 - b) Injury to her left shoulder;
 - c) Pain to the right elbow;
 - d) Pain to the right wrist;
 - e) Pain to the left hand;
 - f) Paraesthesia;
 - g) Anxiety;
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 the impact of them upon her will be set out in a schedule of loss to be provided prior to trial.
10. As a result of the foregoing, the Plaintiff suffered loss, damage, and expenses which are continuing.

PARTICULARS OF SPECIAL DAMAGE

11. 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 loss of income, 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.

12. The Plaintiff claims pre- and post-judgment interest pursuant to Section 34 of the *Judicature Act (2021 Revision)* in accordance with the *Judgment Debts (Rates of Interest) Rules* (as amended).

AND THE PLAINTIFF CLAIMS:

- (1) General damages;
- (2) Special damages;
- (3) 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
- (4) At such rate this Honourable Court deems fit;
- (5) 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
- (6) At such rate this Honourable Court deems fit; and

Dated this 02 day of April 2026

Broadhurst

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 4th Floor, Monaco Towers, 54 Edward Street, P.O. Box 2503, Grand Cayman, KY1-1104, 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.

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 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 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.

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CAUSE NO: OF 2026

MELESSIA ROMAYNE DALEY

Plaintiff

AND

TASTE BUDS RESTAURANT LTD

Defendant

ACKNOWLEDGEMENT OF SERVICE
OF WRIT OF SUMMONS

If you intend to instruct an Attorney to act for you, give him/her 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) _____

[Attorney] for

[Defendant in Person]

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 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
54 Edward Street, P.O. Box 2503
George Town, Grand Cayman,
Cayman Islands, 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.
