



GRAND COURT AT GEORGE TOWN

CAUSE NO. GC__OF 2026

BETWEEN:

Herbert McDermott

Plaintiff

AND:

JBS Property Group Limited

Defendant 1

Roger Small

Defendant 2

WRIT OF SUMMONS

To the 1st Defendant and 2nd Defendant

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 service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office PO Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands, the accompanying Acknowledgement of Service form stating therein whether you intend to contest this action. If you intend to defend the action, in 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 Acknowledgement of Service form containing **full particulars of your defence**, the Plaintiff may apply for a **default Judgement** without any further notice to you.

Issued this 14th day of April 2026

See overleaf for particulars of the Plaintiff's claim

This Writ of Summons was filed for Herbert McDermott whose address for service is BritCay House, 2nd Floor Maples Technology, 236 Eastern Avenue, George Town; PO Box 309 George Town, Grand

PARTICULARS OF CLAIM

1. The Agreement for Sale and Purchase of Apartment dated 7th December 2021 has not been complied with and no property has been built or likely to be built in a reasonable timescale.
2. I made payment of the deposit in the sum of KY\$57,500 in two tranches on 20th December 2021 and 13th July 2021 as confirmed in the receipt from JBS Property Group Limited dated 14th February 2022 and copy attached.
3. I am seeking return of my deposit in the sum of KY\$57,500 plus interest from the payment dates of 13th July 2021 and 20th December 2021 respectively and costs incurred in bringing any action
4. Defendants have failed to develop the building on the site at 14CF97 and there being no sign of the development being finished in any reasonable time frame.
5. The Plaintiff served a letter before action on 26th March 2026 on the 1st and 2nd Defendant shown as Exhibit 3.
6. The letter before action was acknowledged as safely received by email which is shown as Exhibit 4.
7. The Plaintiff claims deposit and penalties for the monies owed under the Settlement Letter in the following sums:

Return of outstanding monies in the sum of KY\$57,500

Interest in accordance with the Judicature Act (2021 Revision) from 14th July 2022 until this matter is settled

Costs for service and filing of documents

And the Plaintiff claims:

- (1) The Sum of CI\$57,500
- (2) Interest to be charged and continue until this matter is settled at the rate of 5% per annum.
- (3) Fixed costs of CI\$2,500.00.

Herbert. Mc Dermott.

Plaintiff's Signature

Plaintiff's address for service

BritCay House,
2nd Floor Maples Technology
236 Eastern Avenue
George Town

PO Box 309
George Town,
Grand Cayman
KY1-1104

HERBERT McDERMOTT

PO Box 309 George Town, Grand Cayman KY1-1104

herbertmed@aol.com

26th March 2026

Roger JB Small
JBS Property Group Limited
18 McField Lane
George Town
Grand Cayman

Delivered By Hand
and Email to roger@jbspropertygroup.com

Dear Mr Small

Money Due to Herbert McDermott to refund deposit on purchase agreement for
Urban Flat unit

LETTER BEFORE ACTION

I write to give 14 days' notice of the intention to proceed to a claim at Grand Court for the payment of outstanding fees scheduled below. I would be grateful if you would please settle the sum due in the sum of CI\$57,500 in the next 14 days.

If I do not receive payment within 14 days the please accept this as a letter before action where we will refer the matter to the Court and submit our case accordingly.

Below I set out for your ease the basis of our claim:

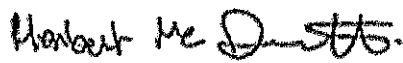
1. The Agreement for Sale and Purchase of Apartment dated 7th December 2021 has not been complied with and no property has been built or likely to be built in a reasonable timescale.
2. I made payment of the deposit in the sum of KY\$57,500 in two tranches on 20th December 2021 and 13th July 2021 as confirmed in the receipt from JBS Property Group Limited dated 14th February 2022 and copy attached.
3. I am seeking return of my deposit in the sum of KY\$57,500 plus interest from the payment dates of 13th July 2021 and 20th December 2021 respectively in the sum of KY\$26,109 and costs incurred in bringing any action.

Should payment of KY\$83,609 not be made by Friday 10th April we will be seeking all outstanding monies due along with accrued interest and costs thereon.

I look forward to hearing from you and receiving settlement

Kind regards

Yours sincerely



Herbert McDermott

18 McField Lane, Mary Street, George Town,
PO Box 10191, Grand Cayman, KY1-1002, Cayman Islands
P: +1345 945 2753 C: +1 345 938 8040
info@jbspropertygroup.com

PAYMENT RECEIPT

Date: 14 Feb 2022

Buyer Name: Herbert McDermott

Street Address: c/o Maples and Calder, Ugland House

City, State, Zip: PO Box 309 GT, Grand Cayman, KY1-1104

Down Payment Value

This receipt is for a real estate down payment in the amount of Thirty seven thousand and five hundred CI
dollars (CI\$ 37,500.00) in the form of

☐ Check

☐ Cash

☐ Other: EFT

Date: 13/07/2021

This down payment is an initial deposit / 10% of the total selling price of the property.

This receipt is for a real estate down payment in the amount of Twenty thousand Cayman Island
dollars (CI\$ 20,000.00) in the form of

☐ Check

☐ Cash

☐ Other: EFT

This down payment is an additional deposit / 10% of the total selling price of the property.

Date: 20/12/2021

Total Payment received (CI\$ 57,500.00 Fifty seven thousand and five hundred CI Dollars)

18 McField Lane, Mary Street, George Town,
PO Box 10191, Grand Cayman, KY1-1002, Cayman Islands
P: +1345 945 2753 C: +1 345 938 8040
info@jbspropertygroup.com

Property Information

Seller Name: JBS Property Group Ltd

Property Address:

Urban Flats- Penthouse 1 , 18 McField Lane, Mary Street, George Town, PO Box 10191, Grand Cayman

Total Selling Price: Five hundred and seventy five thousand Cayman Island Dollars (CIS \$575,000.00)

Authorized Signature 

Representative's Name Roger Small

Title: Owner/Broker

IN THE GRAND COURT AT GEORGE TOWN

CAUSE NO. GC_____OF 2026

BETWEEN:

Herbert McDermott

Plaintiff

AND:

JBS Property Group Limited

Defendant 1

Roger Small

Defendant 2

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.

1 State Defendant's name and address –

2 State whether the Defendant intends to contest the action

☐ Yes☐ No

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

This Writ of Summons was filed for Herbert McDermott whose address for service is BritCay House, 2nd Floor Maples Technology, 236 Eastern Avenue, George Town; PO Box 309 George Town, Grand

- 4 If you do 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.

1st Defendant's Signature OR Attorney for

DATED this day of 2026

See Overleaf

PARTICULARS OF DEFENCE

COUNTERCLAIM

AND the Defendant claims:

1st Defendant's Signature or Attorney for

REMINDER – This form must be taken or sent to the Court Office, PO Box 495, Grand Cayman KY1-1106 Cayman Islands within 14 days of receipt otherwise a default Judgement may be entered against you.

This Writ of Summons was filed for Herbert McDermott whose address for service is BritCay House, 2nd Floor Maples Technology, 236 Eastern Avenue, George Town; PO Box 309 George Town, Grand

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, the Defendant must give the Defendant's post office box number and the physical address of the Defendant's residence or, if the Defendant does not reside in the Cayman Islands, the Defendant must give an address in Grand Cayman where communications for the Defendant 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 that Plaintiff's name, address and reference, if any, in the box below.

Herbert McDermott
BritCay House, 2nd Floor Maples Technology
236 Eastern Avenue George Town
PO Box 309 George Town, Grand Cayman KY1-1104
herbertmcd@aol.com
936 5515

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

IN THE GRAND COURT AT GEORGE TOWN

CAUSE NO. GC_____OF 2026

BETWEEN:

Herbert McDermott

Plaintiff

AND:

JBS Property Group Limited

Defendant 1

Roger Small

Defendant 2

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.

5 State Defendant's name and address –

6 State whether the Defendant intends to contest the action

☐ Yes☐ No

7 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

This Writ of Summons was filed for Herbert McDermott whose address for service is BritCay House, 2nd Floor Maples Technology, 236 Eastern Avenue, George Town; PO Box 309 George Town, Grand

Cayman KY1-1104 email herbertmcd@aol.com telephone 936 5515

- 8 If you do 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.

2nd Defendant's Signature OR Attorney for

DATED this day of 2026

See Overleaf

PARTICULARS OF DEFENCE**COUNTERCLAIM**

AND the Defendant claims:

2nd Defendant's Signature or Attorney for

REMINDER – This form must be taken or sent to the Court Office, PO Box 495, Grand Cayman KY1-1106 Cayman Islands within 14 days of receipt otherwise a default Judgement may be entered against you.

This Writ of Summons was filed for Herbert McDermott whose address for service is BritCay House, 2nd Floor Maples Technology, 236 Eastern Avenue, George Town; PO Box 309 George Town, Grand

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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, the Defendant must give the Defendant's post office box number and the physical address of the Defendant's residence or, if the Defendant does not reside in the Cayman Islands, the Defendant must give an address in Grand Cayman where communications for the Defendant 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 that Plaintiff's name, address and reference, if any, in the box below.

Herbert McDermott
BritCay House, 2nd Floor Maples Technology
236 Eastern Avenue, George Town
PO Box 309 George Town, Grand Cayman KY1-1104
herbertmcd@aol.com
936 5515

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

Form No. 8**Acknowledgment of Service of Writ of Summons
(O.10, r.1; O.12, r.3; O.15, rr.3, 7 & 13A; O.16, r.3; O.75, r3)****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 495G, George Town, Grand Cayman.
2. A defendant who states in the Defendant's Acknowledgment of Service that the Defendant 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 that Defendant's defence within the appropriate time, the Plaintiff may enter judgment against the Defendant 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 the Defendant intends to apply for a stay, execution will be stayed for 14 days after that Defendant's Acknowledgment, but the Defendant must, within that time, issue a Summons for a stay of execution, supported by an affidavit of the Defendant's 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

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 the Defendant.
3. Where the Defendant is sued in a name different from the Defendant's own, the form must be completed by the Defendant 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 that Partner's name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN THAT PERSON'S OWN, the form must be completed by the Defendant with the addition in paragraph 1 of the description "trading as (.....)" after that Defendant's 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.