



**D COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE NO: OF 2026

BETWEEN:

NICOLA ANN-MARIE GREEN-ROACH

Plaintiff

AND

DINESH POBRE ROSARIO D'SILVA

Defendant

WRIT OF SUMMONS

TO: **Dinesh Pobre Rosario D'Silva**
26 Coconut Drive
George Town, Grand Cayman

AND NOTICE TO: **Saxon Motor & General Insurance Company Limited**
14 Saturn Close
Eastern Avenue
George Town, Grand Cayman

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 Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement 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 29th day of July 2026

This Writ of Summons and Statement of Claim is issued by Broadhurst LLC, Attorneys-at-Law for the Plaintiff, whose address for service is 4thFloor, Monaco Towers, 54 Edward Street, PO Box 2503, Grand Cayman KY1-1104, Cayman Islands.

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 Service are given with the accompanying form.

STATEMENT OF CLAIM

1. At the material times the Plaintiff, Nicola Ann-Marie Green-Roach, of 71 Templeton Street, George Town, Grand Cayman, was the driver of a Hyundai i30 motor vehicle registration number 135 462.
2. The Defendant, Dinesh Pobre Rosario D'Silva, of 26 Coconut Drive, George Town, Grand Cayman, was at the material times the driver of a BMW X3 motor vehicle registration number 209 811 owned by Abhimanyu Ghuliam.
3. On or about 31 August 2023 at approximately 1:35 p.m. the Plaintiff was involved in a motor accident caused by the Defendant.
4. Whilst driving along Walkers Road from George Town toward South Sound and in the vicinity of the junction with Moxam Road the Plaintiff's vehicle safely came to a stop behind a Ford F-150 motor vehicle driven by a third party. The Defendant travelling directly behind the Plaintiff's motor vehicle and traveling in the same direction, failed to come to a stop and collided with the rear of her vehicle. The force of the collision was such that the Plaintiff's vehicle was pushed forward into the rear of the said F-150 motor vehicle thereby suffering a second collision.
5. The Plaintiff suffered injury and was taken by ambulance to the Accident and Emergency Department of the George Town Hospital.
6. The said accident was caused by the Defendant's negligence and / or breach of statutory duty under Sections 67 and 68 of the Traffic Act (2026 Revision) and / or a breach of the common law duty of care owed by the Defendant to other road users.

PARTICULARS OF NEGLIGENCE / BREACH OF DUTY

The Defendant was negligent and / or in breach of the aforesaid statutory and / or common law duty of care in that he:

- a) Failed to exercise care and attention whilst driving alternatively failed to keep any or any proper lookout
- b) Failed to observe or to heed the prevailing traffic conditions
- c) Failed to observe or to heed the vehicle immediately ahead of him
- d) Failed to keep a safe or sufficient distance between his vehicle and the vehicle in front of him
- e) Drove too fast in the circumstances
- f) Failed to slow down, stop, swerve or otherwise control his vehicle so as to avoid a collision
- g) Caused or permitted his vehicle to come into collision with the Plaintiff's vehicle
- h) Failed to have any or any proper regard for the safety of other road users, namely the Plaintiff.
- i) Failed to comply with the *Road Code*.

7. By reason of the Defendant's negligence and/or breaches of duty, the Plaintiff has suffered injury, loss, and damage.

PARTICULARS OF INJURY

8. The Plaintiff was born on 8th May 1979 and was aged 44 at the date of accident. She is now aged 47. Her vehicle was written off by this accident.
9. At hospital the Plaintiff complained of pain to the lower back, left hip / flank, and her shin. Her medical records indicate she was unable to ambulate because of pain. X-rays images were taken of her hip, lumbosacral spine, pelvis and tibia/fibula. No evidence of fractures was found.
10. She was still experiencing pain to the lower back in September 2025. She was in late 2025 diagnosed with lupus (unrelated to the accident).

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11. She reported being an anxious driver as a result of this accident for about a year.
12. The Plaintiff reserves the right to provide further and better particulars of her injuries and any sequelae prior to the date of trial.

PARTICULARS OF LOSS

13. The Plaintiff has suffered loss and expense including medical treatment expenses and loss of income. Full particulars of her loss and damage will be provided at a later date by way of a Schedule of Loss.
14. The Plaintiff claims pre-judgment and post-judgment interest on items of special damage, from the date of loss and pursuant to section 34 of the *Judicature Act (2021 Revision)* and in accordance with the *Judgment Debts (Rates of Interest) Rules* (as amended).
15. The Plaintiff claims 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:

- (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 at such rate this Honourable Court deems fit;
- (4) 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 at such rate this Honourable Court deems fit; and
- (5) Costs.

Dated this 29th day of July 2026

Broadhurst

BROADHURST LLC

Attorneys-at-Law for the Plaintiff

This Writ of Summons and Statement of Claim is issued by Broadhurst LLC, Attorneys-at-Law for the Plaintiff, whose address for service is 4th Floor, Monaco Towers, 54 Edward Street, PO Box 2503, Grand Cayman KY1-1104, Cayman Islands.

INDORSEMENT AS TO INSURER OF MOTOR VEHICLE

The Plaintiff's claims arise out of the use of a motor vehicle on a public road. The insurer of the vehicle of the Defendant named herein is Saxon Motor & General Insurance Company Limited of 14 Saturn Close, Eastern Avenue, George Town, Grand Cayman, Cayman Islands.

INDORSEMENT AS TO INTEREST

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

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 (2021 Revision)*.

**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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION

CAUSE NO: OF 2026

BETWEEN:

NICOLA ANN-MARIE GREEN-ROACH

Plaintiff

AND

DINESH POBRE ROSARIO D'SILVA

Defendant

ACKNOWLEDGEMENT 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) _____
[Attorney] for
[Defendant in Person]
Address for service:

Please complete overleaf

This Writ of Summons and Statement of Claim is issued by Broadhurst LLC, Attorneys-at-Law for the Plaintiff, whose address for service is 4thFloor, Monaco Towers, 54 Edward Street, PO Box 2503, Grand Cayman KY1-1104, Cayman Islands.

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.

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