

**ND COURT OF THE CAYMAN ISLANDS****CAUSE NO:****AMYREI HAVANNAH JEFFERY****(acting through her next friend and mother, Shelise Jeffery)****PLAINTIFF****AND:****CALOIL RUSSELL****DEFENDANT**

WRIT OF SUMMONS

TO: The Defendant, 33 Dickies Drive, Bodden Town, Grand Cayman, Cayman IslandsAnd as a Noticed Party to:
*247 Indigo Insurance***THIS WRIT OF SUMMONS** has been issued against you by the above-named Plaintiff of 88 Mendip Circle, Bodden Town, Grand Cayman, Cayman Islands 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 18th day of June 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.

This Writ and Statement of Claim is issued by KSG Attorneys at Law whose address for service is 4th Floor, One Capital Place, Shedden Road, George Town, Grand Cayman. P.O. Box 2255 GT, KY1-1107.

1. At all material times, the Plaintiff, a minor, was travelling on a pedal cycle, and the Defendant was the driver of a 2004 white Lexus registration number 139643.
2. On 5 March 2025, at approximately 6pm, the Plaintiff was cycling her pedal cycle west and on the left-hand side of the road along Mendip Circle, a residential road, when the Defendant, who was travelling east along Mendip Circle, veered across the westbound lane into the Plaintiff's path, causing a head-on collision.
3. At all material times, the Defendant's vehicle was insured with 247 Indigo, which had issued a policy of insurance in accordance with the Motor Insurance (Third Party Risks Law).

Particulars of negligence

4. The accident was caused by the negligence of the Defendant in that she;
 - a) failed to keep any or any proper lookout;
 - b) failed to observe the Plaintiff's pedal cycle which was lawfully travelling along Mendip Circle;
 - c) drove across the westbound lane into the path of the Plaintiff;
 - d) failed to apply her brakes in time or at all;
 - e) failed to steer, control, or stop her vehicle so as to avoid the said collision;
 - f) drove without due care and attention; and
 - g) drove too fast and without proper regard for other road users including pedal cycles and the conditions of the road.
5. The Plaintiff also relies on the doctrine of *res ipsa loquitur*.
6. By reason of the aforesaid, the Plaintiff has suffered personal injury, loss and damage.

Particulars of General Damage

7. The Plaintiff's date of birth is 09 February 2012 and at the date of the accident she was 13 years old.
8. She was found at the scene of the accident by emergency medical personnel with injuries. She was aware of pain in her leg, foot, elbow and face.
9. She was transported from her home by Ambulance to the Emergency Department at George Town Hospital for further treatment.
10. She underwent imaging and was provided with pain medication.
11. She was diagnosed as suffering from:

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- (i) a fractured second metatarsal;
 - (ii) facial trauma including tooth injury;
 - (iii) abrasions including road rash; and
 - (iv) contusions;
12. She suffered severe dental trauma and was referred to the Merren Dental Clinic and was diagnosed as suffering a complicated crown and root fracture to tooth number 9.
13. She underwent treatment including imaging and a partial root canal to stabilize the tooth.
14. She underwent further emergency treatment and extraction at hospital to tooth number 9. She was advised that the tooth was unrestorable due to the worsening root fracture.
15. The Plaintiff's treating physicians have determined that longer term treatment will include orthodontic braces to correct an overbite and spacing caused by the injuries sustained in the accident.
16. A permanent bridge and implant will be required once the Plaintiff reaches aged 18 and her mouth has fully developed.
17. The Plaintiff underwent further medical treatment with Dr Almeida at Total Health with respect to her foot injury.
18. She was diagnosed as suffering fractured toes and it was recommended that she reduce mobility and rest.
19. The accident has had a detrimental affect on the Plaintiff's day to day life and she is fearful of walking along the street and sidewalk and is reluctant to walk outside.
20. She was further diagnosed as suffering anxiety and trauma as a result of the accident.
21. She has suffered mood changes, anxiety and has difficulty sleeping.
22. She was unable to chew foods properly and has suffered a loss of muscle and weight.
23. She was treated with orthodontic braces.
24. She is currently under the care of orthodontic specialists and further adverse sequelae cannot be ruled out.

Particulars of Special Damage

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6. The Plaintiff's particulars of special damage will be provided in due course by way of a Schedule of Loss, including but not limited to claims for pain, suffering and loss of amenity, past/future medical and rehabilitation expenses, transportation costs, loss of income/earnings, and gratuitous care and assistance provided by family members during her recovery.

AND THE PLAINTIFF CLAIMS:

1. General Damages;
2. Special Damages;
3. Interest in accordance with the Judicature Act (2021 Revision);
4. Costs;
5. Such further or other relief that this Honourable Court deems just.



KSG Attorneys-at-Law
Attorneys for the Plaintiff

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 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

Please complete overleaf

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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS**CAUSE NO:****BETWEEN:****AMYREI HAVANNAH JEFFERY****(acting through her next friend and mother, Shelise Jeffery)****PLAINTIFF****AND:****CALOIL RUSSELL****DEFENDANT**

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

Please complete overleaf

This Writ and Statement of Claim is issued by KSG Attorneys at Law whose address for service is 4th Floor, One Capital Place, Shedden Road, George Town, Grand Cayman. P.O. Box 2255 GT, KY1-1107.

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

KSG Attorneys-at-Law
4th Floor One Capital Place
136 Shedden Road
PO Box 2255
George Town
KY1-1107
Grand Cayman

Indorsement 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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