

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. *GS40* OF 2009

BETWEEN: SASKIA WALTON PLAINTIFF

AND: DORIAN HUNTER FIRST DEFENDANT

AND: THE CHIEF FIRE OFFICER OF THE
CAYMAN ISLANDS FIRE SERVICE
SECOND DEFENDANT

AND: THE ATTORNEY-GENERAL OF THE
CAYMAN ISLANDS
THIRD DEFENDANT



WRIT OF SUMMONS

To: Dorian Hunter
HMP Northward
Northward Road
Bodden Town
Grand Cayman

And to: The Chief Fire Officer of the Cayman
Islands Fire Service
Cayman Islands Fire Service
148 Owen Roberts
George Town

And to: Attorney-General of the Cayman Islands
4th Floor
Government Administration Building
Shedden Road
Grand Cayman

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff of c/o Campbells, 4th Floor, Scotia Centre, George Town, Grand Cayman in respect of the claim set out in 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, PO Box 495, Grand Cayman, KY1-1106, Cayman Islands, the accompanying 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 day of October 2009

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 of Acknowledgment for Service are given with accompanying form.

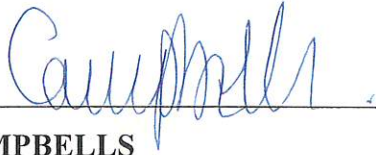
GENERAL INDORSEMENT

The Plaintiff's claim is for:

1. Damages for personal injuries, exemplary and aggravated damages, costs and interest arising out of a number of sexual assaults and other trespasses to the person (including taking lewd photographs of the Plaintiff without her consent) committed against her by the First Defendant between about 1st November 2006 and 31st December 2006. At all material times, the Plaintiff and the First Defendant were employed by the Second Defendant as fire officers at Cayman Brac Fire Station at Airport Road, Cayman Brac, Cayman Islands. The Second Defendant was at all relevant times the employer of the Plaintiff and First Defendant and the assaults occurred during the hours of, and during the course of, the Plaintiff's and First Defendant's employment. Accordingly, the Second Defendant is vicariously liable for the actions of the First Defendant and is directly liable to the Plaintiff for breach of the implied term contained in her contract of employment to provide her with a safe system and place of work, alternatively, is in breach of his statutory duties of care in that regard pursuant to ss. 55(1)(a) and 55(2) of the Public Service Management Law (2007 Revision) or its predecessor, and/or failure to ensure the health, safety, and welfare of the Plaintiff around the Cayman Brac Fire Station in contravention of section 58 of the Labour Law (2007 Revision) or its predecessor and/or is in breach of his common law duty of care.
2. The Third Defendant is joined as a party to these proceedings by reason of section 11(2) of the Crown Proceedings Law (1997 Revision).
3. The First Defendant was convicted on three counts of indecent assault against the Plaintiff, pursuant to section 132 of the Penal Code (2006 Revision) on 22nd January 2009.

4. By reason of the matters set out above, the Plaintiff has suffered personal injuries, including psychiatric injuries, humiliation and distress together with special damage including medical expenses, loss of earnings and handicap on the labour market and future losses.
5. Further, the Plaintiff is entitled to and claims interest pursuant to section 34 of the Judicature Law (2004 Revision) on the amounts found due to her, for such periods and at such rates as the Court deems fit.
6. Costs

Dated 28 October 2009



CAMPBELLS

Attorneys-at-Law for the Plaintiff