

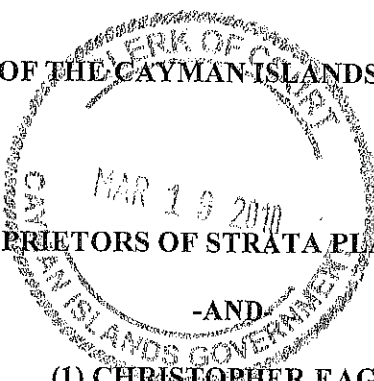
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 128 OF 2009 10

BETWEEN:

THE PROPRIETORS OF STRATA PLAN NUMBER 385

Plaintiff

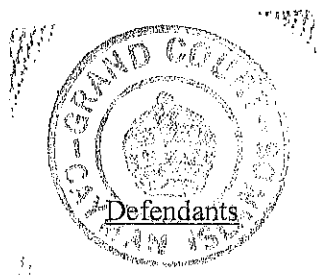


-AND-

(1) CHRISTOPHER EAGLE

-AND-

(2) HALEY EAGLE



WRIT OF SUMMONS

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 28 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 495 GT, 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 19th day of March 2010

NOTE – This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of 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 is a strata corporation comprised of the proprietors of the East End Paradise Villas and incorporated under the Strata Titles Registration Law as strata plan 385 (the "Strata").
2. The Defendants are married to one another and live in the United States of America.
3. On or about December 2006 the Defendants became the joint proprietors of the property known as registration section East End, block 76B, parcel 4H6 (the "Property"). The terms of the Agreement include that the Defendants would be bound by the Strata by-laws ("the By-Laws").
4. As proprietors of a lot within the Strata the Defendants are bound by the Plaintiff's by-laws and any amendments thereof (the By-Laws). The By-Laws are registered against the title to the Property as a restrictive covenant and the terms of the By-Laws run with the Property.
5. The By-Laws include the following terms:
 - a. each Proprietor of a Strata Lot, by acceptance of a deed or other instrument conveying any interest therein, regardless of whether such deed or instrument contains a reference to these By-Laws, is hereby deemed to covenant and agree to pay to the Corporation all Assessments provided herein;
 - b. the Executive Committee, or the Developer in the base year, may levy annual, special and individual Assessments;
 - c. each proprietor shall be personally liable for the payment of all Assessments coming due while he is a proprietor of a Strata Lot;
 - d. in the event of co-proprietorship of any Strata Lot, all of the co-proprietors shall be jointly and severally liable for the entire amount of such Assessments;
 - e. Assessments shall be paid in such manner and on such dates as may be fixed by the Executive Committee;
 - f. all Assessments shall be payable without offset, diminution or abatement;

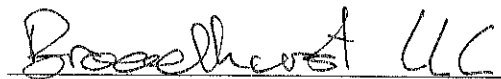
- g. in the event that any Assessment or any portion thereof are not paid within 14 days after the due date of the same, then the unpaid portion of the Assessment shall accrue simple interest at the lesser of eighteen percent per annum; from the due date until the same is paid in full;
 - h. in the event the Strata employs an attorney or otherwise takes any legal action in attempting to collect any amounts due from any proprietor, such Proprietor agrees to pay all reasonable attorney's fees, court costs and all other expenses paid or incurred by the Strata in attempting to collect any unpaid Assessments.
- 6. The Plaintiff charges the Defendants Strata Assessments monthly and in advance.
- 7. Between November 2006 and October 2008 the Defendants paid the Assessment levied in accordance with the By-Laws.
- 8. On or about November 2008 the Defendants breached the By-Laws by failing to pay the Assessments required under the By-Laws and have remained in default under the By-Laws since that time.
- 9. The Plaintiff made demand for payment of the Strata Assessments by letters dated the 12th of October 2009 and the 19th of March 2010, both sent to the First and Second Defendants by the Plaintiff's attorneys.
- 10. The Defendants have failed or refused to pay the outstanding Strata Assessments and Assessments and other charges under the By-Laws continue to fall due.
- 11. In the circumstances the Plaintiff's claim is for principal of \$18,295.00, interest up until the 19th of March 2009 of \$2,299.26, interest at the rate of 18% per annum continuing until all sums outstanding under the By-Laws are paid in full and costs on an indemnity basis.

AND THE PLAINTIFF CLAIMS:

- A. the Debt of \$18,295.00;

- B. interest in accordance with the terms of the By-Laws as follows or alternatively pursuant to section 34 of the Judicature Law (2005 Revision):
- a. \$2,299.26 that accrued between December 2008 and the 10th of March 2010;
 - b. interest on the principal outstanding under the By-Laws at the rate of 18% per annum, from the 19th of March 2010 until the date of judgment;
 - c. interest on the principal outstanding under the By-Laws at the rate of 18% per annum from the date of judgment until full payment of the Judgment Debt and interest has been made;
- C. costs on an indemnity basis;
- D. such other relief as this Honourable Court sees fit.

Dated this 19th day of March 2010



BROADHURST LLC.

This Writ of Summons and Statement of Claim are issued by Broadhurst LLC., Attorneys-at-Law for the Plaintiff, whose address for service is P.O. Box 2503, Cayman Islands, KY1-1104, 40 Linwood Street, George Town, Grand Cayman, Cayman Island.

INDORSEMENTS

LIQUIDATED DEBT OR DEMAND

The amount claimed in respect of the liquidated debt or demand is \$20,594.26 and is made up as follows:

| | |
|------------|-------------|
| Principal: | \$18,295.00 |
| Interest: | \$2,299.26 |

The amount claimed in respect of costs is \$507.95 and is made up as follows:

| | |
|-----------------------------------------------------|----------|
| Filing Fee for Writ of Summons: | \$200.00 |
| <i>Ad Valorem</i> Fee: | \$182.95 |
| Filing Fee for Summons to Serve Out of Jurisdiction | \$100.00 |
| Filing Fee for Affidavit | \$25.00 |

If, within the time allowed to return the acknowledgement of service, the Defendant pays the Plaintiff or its attorneys-at-law \$21,102.21 being the total amount claimed in principal, interest and costs, further proceedings will be stayed.

INTEREST

Interest is claimed at the rate of 18% per annum pursuant to clause 3.11(h)(i) of the By-Laws.

Interest began to accrue under the By-Laws on 1 November 2008. As at 19 March 2010 the total interest claimed was \$2,299.26. Interest is continuing to accrue at the daily rates recorded in the attached schedule.

DEBT OWED BY CHRIS EAGLE

| Date | Debit | Debit Comment | Credit | Running Balance | Interest Rate | Interest per day | Interest for payment period | Interest Balance | Total |
|-----------|------------|--------------------|------------|-----------------|---------------|------------------|-----------------------------|------------------|-------------|
| 1-Nov-06 | \$690.00 | Strata Fees | \$2,070.00 | -\$1,380.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Dec-06 | \$690.00 | Strata Fees | \$0.00 | -\$690.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Jan-07 | \$690.00 | Strata Fees | \$0.00 | \$0.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Feb-07 | \$690.00 | Strata Fees | \$0.00 | \$690.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Mar-07 | \$690.00 | Strata Fees | \$2,070.00 | -\$690.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Apr-07 | \$690.00 | Strata Fees | \$5,520.00 | -\$5,520.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-May-07 | \$690.00 | Strata Fees | \$0.00 | -\$4,830.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Jun-07 | \$690.00 | Strata Fees | \$0.00 | -\$4,140.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Jul-07 | \$690.00 | Strata Fees | \$0.00 | -\$3,450.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Aug-07 | \$690.00 | Strata Fees | \$0.00 | -\$2,760.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Sep-07 | \$690.00 | Strata Fees | \$0.00 | -\$2,070.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Oct-07 | \$690.00 | Strata Fees | \$0.00 | -\$1,380.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Nov-07 | \$690.00 | Strata Fees | \$0.00 | -\$690.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Dec-07 | \$690.00 | Strata Fees | \$0.00 | \$0.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Jan-08 | \$690.00 | Strata Fees | \$690.00 | \$0.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Feb-08 | \$690.00 | Strata Fees | \$1,260.00 | -\$570.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Mar-08 | \$690.00 | Strata Fees | \$630.00 | -\$510.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Apr-08 | \$690.00 | Strata Fees | \$4,830.00 | -\$4,650.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-May-08 | \$690.00 | Strata Fees | \$0.00 | -\$3,960.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Jun-08 | \$690.00 | Strata Fees | \$0.00 | -\$3,270.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Jul-08 | \$690.00 | Strata Fees | \$0.00 | -\$2,580.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Aug-08 | \$690.00 | Strata Fees | \$0.00 | -\$1,890.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Sep-08 | \$690.00 | Strata Fees | \$0.00 | -\$1,200.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Oct-08 | \$690.00 | Strata Fees | \$0.00 | -\$510.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Nov-08 | \$690.00 | Strata Fees | \$0.00 | \$180.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1-Dec-08 | \$690.00 | Strata Fees | \$0.00 | \$870.00 | 18.00% | \$0.43 | \$13.30 | \$13.30 | \$883.30 |
| 1-Jan-09 | \$690.00 | Strata Fees | \$0.00 | \$1,560.00 | 18.00% | \$0.77 | \$23.85 | \$37.15 | \$1,597.15 |
| 1-Feb-09 | \$690.00 | Strata Fees | \$0.00 | \$2,250.00 | 18.00% | \$1.11 | \$31.07 | \$68.22 | \$2,318.22 |
| 1-Mar-09 | \$690.00 | Strata Fees | \$0.00 | \$2,940.00 | 18.00% | \$1.45 | \$44.95 | \$113.16 | \$3,053.16 |
| 1-Apr-09 | \$690.00 | Strata Fees | \$0.00 | \$3,630.00 | 18.00% | \$1.79 | \$53.70 | \$166.87 | \$3,796.87 |
| 1-May-09 | \$715.00 | Strata Fees | \$0.00 | \$4,345.00 | 18.00% | \$2.14 | \$66.42 | \$233.29 | \$4,578.29 |
| 1-Jun-09 | \$715.00 | Strata Fees | \$0.00 | \$5,060.00 | 18.00% | \$2.50 | \$74.86 | \$308.15 | \$5,368.15 |
| 1-Jun-09 | \$3,000.00 | Special Assessment | \$0.00 | \$8,060.00 | 0.00% | \$3.97 | \$119.24 | \$427.40 | \$8,487.40 |
| 1-Jul-09 | \$715.00 | Strata Fees | \$0.00 | \$8,775.00 | 18.00% | \$4.33 | \$134.15 | \$561.55 | \$9,336.55 |
| 1-Aug-09 | \$715.00 | Strata Fees | \$0.00 | \$9,490.00 | 18.00% | \$4.68 | \$145.08 | \$706.63 | \$10,196.63 |
| 1-Sep-09 | \$715.00 | Strata Fees | \$0.00 | \$10,205.00 | 18.00% | \$5.03 | \$150.98 | \$857.60 | \$11,062.60 |
| 1-Oct-09 | \$715.00 | Strata Fees | \$0.00 | \$10,920.00 | 18.00% | \$5.39 | \$166.94 | \$1,024.55 | \$11,944.55 |
| 31-Oct-09 | \$2,040.00 | Legal Fees | \$0.00 | \$12,960.00 | 18.00% | \$6.39 | \$191.74 | \$1,216.28 | \$14,176.28 |
| 1-Nov-09 | \$715.00 | Strata Fees | \$0.00 | \$13,675.00 | 18.00% | \$6.74 | \$202.32 | \$1,418.60 | \$15,093.60 |
| 1-Dec-09 | \$715.00 | Strata Fees | \$0.00 | \$14,390.00 | 18.00% | \$7.10 | \$218.45 | \$1,625.69 | \$15,815.69 |
| 1-Jan-10 | \$715.00 | Strata Fees | \$0.00 | \$15,105.00 | 18.00% | \$7.45 | \$230.92 | \$1,833.16 | \$16,761.61 |
| 1-Feb-10 | \$715.00 | Strata Fees | \$0.00 | \$15,820.00 | 18.00% | \$7.80 | \$248.45 | \$2,041.61 | \$17,695.06 |
| 1-Mar-10 | \$715.00 | Strata Fees | \$0.00 | \$16,535.00 | 18.00% | \$8.15 | \$257.78 | \$2,250.39 | \$18,662.84 |
| 19-Mar-10 | \$1,760.00 | Legal Fees | \$0.00 | \$18,295.00 | 18.00% | \$9.02 | \$171.42 | \$2,299.26 | \$20,594.26 |
| 1-Apr-10 | \$715.00 | Strata Fees | \$0.00 | \$19,010.00 | 18.00% | \$9.37 | \$112.50 | \$2,411.76 | \$21,421.76 |
| 1-May-10 | \$715.00 | Strata Fees | \$0.00 | \$19,725.00 | 18.00% | \$9.73 | \$301.55 | \$2,713.31 | \$22,438.31 |
| 1-Jun-10 | \$715.00 | Strata Fees | \$0.00 | \$20,440.00 | 18.00% | \$10.08 | \$302.40 | \$3,015.71 | \$23,455.71 |
| 1-Jul-10 | \$715.00 | Strata Fees | \$0.00 | \$21,155.00 | 18.00% | \$10.43 | \$323.41 | \$3,339.12 | \$24,494.12 |
| 1-Aug-10 | \$715.00 | Strata Fees | \$0.00 | \$21,870.00 | 18.00% | \$10.79 | \$334.34 | \$3,673.46 | \$25,543.46 |
| 1-Sep-10 | \$715.00 | Strata Fees | \$0.00 | \$22,585.00 | 18.00% | \$11.14 | \$334.13 | \$4,007.60 | \$26,592.60 |
| 1-Oct-10 | \$715.00 | Strata Fees | \$0.00 | \$23,300.00 | 18.00% | \$11.49 | \$356.20 | \$4,363.80 | \$27,663.80 |

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2010

BETWEEN:

THE PROPRIETORS OF STRATA PLAN NUMBER 385

Plaintiff

-AND-

(1) CHRISTOPHER EAGLE

-AND-

(2) HALEY EAGLE

Defendants

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 see 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. BARRISTERS
ATTORNEYS-AT-LAW
40 LINWOOD STREET,
GEORGE TOWN,
PO BOX 2503
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.

**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 installments 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 28 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, he must complete the form 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 step in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, an Attorney acting for a *guardian ad litem* must complete the form.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.