

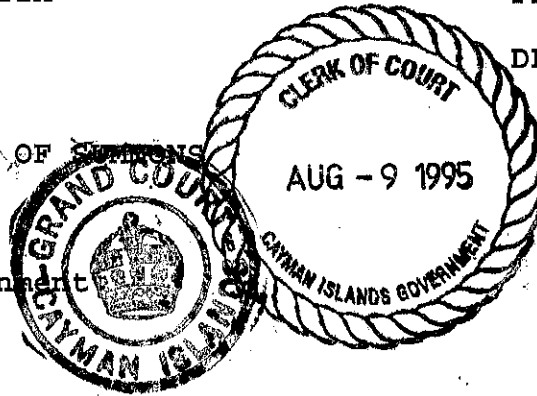
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 342 OF 1995

BETWEEN: BANK OF NOVA SCOTIA PLAINTIFF  
AND: FLAVIA GARDNER DEFENDANT

WRIT OF SUMMONS

TO: Flavia Gardner  
c/o Cayman Islands Government  
Department of Tourism  
Harbour Centre



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 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 9<sup>th</sup> day of August, 1995.

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.

**STATEMENT OF CLAIM**

1. Pursuant to promissory notes dated the 11th March and the 14th July 1993 the Defendant agreed to repay to the Plaintiff the sums of CI\$5,000.00 and CI\$19,500.00 plus the cost of borrowing these sums by monthly installments.
2. The Defendant has failed to maintain payment of the said monthly installments and by reason her default has become liable to pay the full amount due and owing under each promissory note being the sums of CI\$5463.65 and CI\$20,973.25.
3. Despite demand the Defendant has failed to make the aforesaid payments.

AND THE PLAINTIFF CLAIMS:

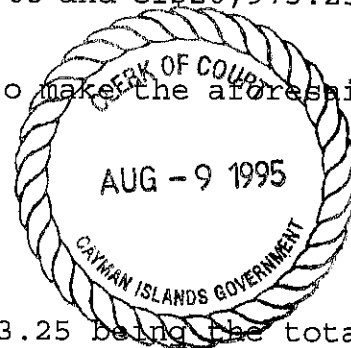
1. The said sums of CI\$5463.65 and CI\$20,973.25 being the total sum of CI\$26,436.90.
2. Interest pursuant to Section 34(1) of the Judicature Law (1995 Revision) at 8 3/8% per annum at a daily rate of CI\$6.07 per day.
3. Costs.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of CI\$20,436.90 and CI\$864.37 in respect of costs and fees further proceedings will be stayed. The money must be paid to the Plaintiff or its Attorney.

*Bruce Campbell + Co*

BRUCE CAMPBELL & CO.  
Attorneys-at-Law  
for the Plaintiff

THIS WRIT was issued by Bruce Campbell & Co. Attorneys-at-Law for the Plaintiff whose address for service is 4th Floor, The Bank of Nova Scotia Building, George Town, Grand Cayman



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. <sup>342</sup> OF 1995

BETWEEN: BANK OF NOVA SCOTIA

PLAINTIFF

AND: FLAVIA GARDNER

DEFENDANT



ACKNOWLEDGMENT 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.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

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2. State whether the Defendant intends to contest the proceedings  
(tick appropriate box)

yes

no

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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)

Service of the Writ is acknowledged accordingly

(signed).....

[Attorney] for

[Defendant in person]

Address for service:

**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.*

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*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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