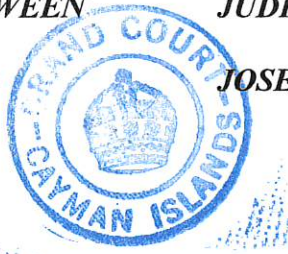


**IN THE GRAND COURT OF THE CAYMAN ISLANDS**

CAUSE NO. <sup>499</sup> OF 2011

**BETWEEN** **JUDITH REYES** **PLAINTIFF**

**AND** **JOSEPH YATES** **DEFENDANT**



**WRIT OF SUMMONS**

**TO: JOSEPH YATES**  
313 Mount Pleasant Road  
West Bay  
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 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 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 judgement may be entered against you forthwith without further notice.***

Issued this      day of December 2011

***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 Acknowledgement of Service are given with the accompanying form.


**ENDORSEMENT**

The Plaintiff's claim against the Defendant is for an injunction barring him from attending at her home or place of work, for an Order restraining the Defendant and/or his servants or agents from assaulting, molesting, harassing, annoying or in any other way or manner from interfering with her as she goes about her lawful business, for an Order requiring the Defendant to return to her the memory card from her Sony Ericsson cellular telephone removed by him on the 13<sup>th</sup> day of December 2011 and for a damages for trespass and assault in that on the 13<sup>th</sup> day of December 2011 at approximately 12:15pm the Defendant entered the Plaintiff's place of abode as a trespasser and therein physically assaulted the Plaintiff by forcefully and brutally having sex with her without her consent or permission.

***AND THE PLAINTIFF CLAIMS:***

1. Damages for personal injury;
2. A Permanent injunction barring the Defendant from attending at her home or place of work;
3. A Permanent Restraining Order restraining the Defendant and/or his servants or agents from assaulting, molesting, harassing, annoying or in any other way or manner from interfering with her as she goes about her lawful business;
4. An Order requiring the Defendant to forthwith return to her possession the memory card for her Sony Ericsson cellular telephone
5. Interest on any damages awarded to her hereunder pursuant to the Judicature Law;
6. Costs.

Dated this 14<sup>th</sup> day of December 2011

  
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Polack & Co.

*THIS WRIT* was issued by Polack & Company, Attorneys-at-Law, for and on behalf of the Plaintiff, whose address for service is that of her said Attorneys-at-Law, P.O. Box 10906, Grand Cayman, KY1-1007, Cayman Islands.

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE**  
**OF WRIT OF SUMMONS**

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.

**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. If you wish to defend claims made in the Writ of Summons, or intend to attend the proceedings and to participate in them in so far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the Acknowledgment of Service.
3. 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.
4. 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)".
5. 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.
6. 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.
7. 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.
8. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
9. 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. OF 2011**

**BETWEEN JUDITH REYES PLAINTIFF**  
**AND JOSEPH YATES 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 judgement being entered against a Defendant whereby he May have to pay the costs of applying to set it aside.**

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

2. State whether the Defendant intends to contest the proceedings (tick the 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 judgement entered by the Plaintiff (tick box).

yes

Service of the Writ is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in person]

Address for service:

*Please complete 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 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 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:***

Polack & Co.  
Attorneys-at-Law  
P.O. Box 10906  
Grand Cayman, KY1-1007  
Cayman Islands

***Indorsement by Defendant's Attorney (or by Defendant if suing in person) of his name, address and reference, if any, in the box below:***

[Empty box for Defendant's Attorney indorsement]

*IN THE GRAND COURT OF THE CAYMAN ISLANDS*

*CAUSE NO. OF 2011*

*BETWEEN JUDITH REYES PLAINTIFF*  
*AND JOSEPH YATES DEFENDANT*

**STATEMENT OF CLAIM**

1. The Plaintiff was at all material times a resident of the Cayman Islands, residing at 14 Hydesville Close in West Bay, Grand Cayman.
2. The Defendant was at all material times a resident of the Cayman Islands, residing at 313 Mount Pleasant Road in West Bay, Grand Cayman and was previously the employer and paramour of the Plaintiff.
3. On the 13<sup>th</sup> day of December 2011 the Defendant wrongfully entered the residence of the Plaintiff and notwithstanding repeated requests by the Plaintiff to leave the said premises, he wrongly failed to do so at the time of the request.
4. The Defendants previous and subsequent conduct and words has caused the Plaintiff to fear that unless restrained by this Honourable Court the Defendant will again wrongfully enter any residence in which the Plaintiff is residing.
5. On the said 13<sup>th</sup> day of December 2011 at the said residence of the Plaintiff the Defendant wrongfully and intentionally assaulted and beat the Plaintiff by forcefully lifting her off her feet and against her wishes taking her into her bedroom where without her consent and/or authority he sexually assaulted the Plaintiff.
6. On the said 13<sup>th</sup> day of December 2011 the Defendant unlawfully removed and retained a memory card from the Plaintiff's Sony Ericsson cellular telephone.
7. By reason the matters aforesaid the Plaintiff has suffered injuries, loss and damages.

**Particulars of Personal Injury**

- (a) Emotional Trauma
- (b) Multiple Abrasions to her right leg
- (c) Abrasion to her left hand
- (d) Laceration of second toe on right foot

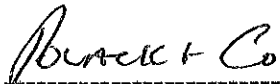
*Particulars of Loss*

- (i) One Sony Ericsson cellular telephone memory card
- (ii) Cost of Medical Examination to be provided

***AND THE PLAINTIFF CLAIMS:***

- 1. Damages for personal injury;
- 2. A Permanent injunction barring the Defendant from attending at her home or place of work;
- 3. A Permanent Restraining Order restraining the Defendant and/or his servants or agents from assaulting, molesting, harassing, annoying or in any other way or manner from interfering with her as she goes about her lawful business;
- 4. An Order requiring the Defendant to forthwith return to her possession the memory card for her Sony Ericsson cellular telephone
- 5. Interest on any damages awarded to her hereunder pursuant to the Judicature Law;
- 6. Costs.

Dated the 14<sup>th</sup> day of December 2011  
Filed the        day of December 2011



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Polack & Co.  
Plaintiff's Attorneys-at-law

*THIS STATEMENT OF CLAIM* was issued by Polack & Company, Attorneys-at-Law, for and on behalf of the Plaintiff, whose address for service is that of her said Attorneys-at-Law, P.O. Box 10906, Grand Cayman, KY1-1007, Cayman Islands.