

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 505 /2011

BETWEEN:

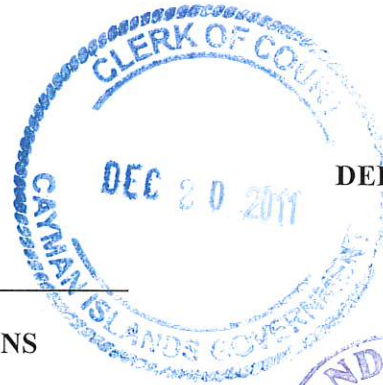
ALDO GIANNE

PLAINTIFF

AND

LEE WEBB

DEFENDANT



WRIT OF SUMMONS



TO: **LEE WEBB**
Palm Heights Drive
Snug Harbour, Grand Cayman

THIS WRIT OF SUMMONS has been issued against you by the above named Plaintiff, of Canal Point, George Town, Grand Cayman in respect of the claims set out on the next page.

Within 14 days after service of this Writ on you, (or where this Writ is served on you out of the jurisdiction pursuant to an Order of the Court, within 28 days) counting the day of service, you must either satisfy the claim or return to the Courts Office, P.O. Box 495, George Town, Grand Cayman, KY1-1106, Cayman Islands 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 Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein any 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 20th 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 original issuance unless renewed by order of the Court

IMPORTANT

Directions for the Acknowledgement of service are given with the accompanying form

BETWEEN:

ALDO GIANNE

PLAINTIFF

AND

LEE WEBB

DEFENDANT

STATEMENT OF CLAIM

1. The Plaintiff holds Caymanian status and resides at 33 Park Place, Canal Point, George Town and is, and has a reputation amongst the community as, a businessman with various interests in Grand Cayman including Cayman Couture at The Strand and the Scotia Bank plaza development at Grand Harbour.
2. The Defendant is an English national with Caymanian status and resides at Palm Heights Drive, Snug Harbour, and has several business interests in Grand Cayman including Elite Marble & Granite, and Piccolos Sandwich Bar & Deli.
3. On Saturday 26 November 2011 at or about 9:30 to 10:00 p.m. the Plaintiff was seated at the bar of those restaurant and bar premises known as Havana Club Cigar Lounge and located at Regency Court, West Bay Road, Seven Mile Beach, Grand Cayman engaged in a discussion of business matters with Juan Fernandez Rubio.
4. During the course of the Plaintiff's discussions with Mr Rubio, they were approached at the bar by the Defendant. The Defendant, using profanity throughout, uttered a series of threats to the Plaintiff, in the presence and hearing of Mr Rubio and the bartender at the premises, Natalie Henry, and others unknown to the Plaintiff, in the following terms defamatory to the Plaintiff and calculated to disparage him in his calling as a businessman and as an honest individual:

I'm going to fucking get you. You're a fraud. You're a fucking crook. I will make your life a living hell. We're going to put you down if it's the last thing we do. You'll see.
5. The Defendant then spoke directly to Mr Rubio and said in the presence and hearing of Mr Rubio, the bartender, Natalie Henry, and others unknown to the Plaintiff stated:

What are you doing with this guy? You can't do business with him. He's a crook and a fraud.

6. In their natural and ordinary meaning, the words complained of meant and were understood to mean that the Plaintiff was deceptive, dishonest and fraudulent in his business dealings and was a criminal and that for such reasons it was inadvisable for anyone to do business with him. ,
7. By reason of the publication of the words complained of, the Plaintiff has been caused serious injury to his personal and business reputation and credit and has suffered considerable embarrassment, hurt and distress.
8. Unless restrained by this Honourable Court, the Defendant will further publish or cause to be published the words complained of or similar words defamatory to the Plaintiff.

THE PLAINTIFF THEREFORE CLAIMS:

- (a) Damages for slander;
- (b) An injunction to restrain the Defendant whether by himself, his servants or agents or otherwise howsoever from further publishing and/or causing to be published the same or any similar words defamatory of the Plaintiff.
- (c) Pre and post-judgment interest on the damages awarded in accordance with s.34 of the Judicature Law (2007 Revision) and the Judgment Debts (Rates of Interest) Rules (2010) currently at the rate of 2 $\frac{3}{8}$ % per annum, and otherwise as amended;
- (d) His costs to be assessed; and
- (e) Such further and other relief as to this Honourable Court may seem just.

DATED at Grand Cayman this 20th day of December 2011.

HAMPSON. CO.

Hampson and Company
Attorneys for the Plaintiff

THIS WRIT OF SUMMONS AND STATEMENT OF CLAIM are filed by Hampson and Company, attorneys for the Plaintiff, whose address for service is that of his said attorneys, at Citrus Grove, 5th Floor, Goring Avenue, George Town P.O. Box 698, Grand Cayman, KY1-1107.

TO: The Clerk of the Grand Court

AND TO: Lee Webb
Palm Heights Drive
Snug Harbour, Grand Cayman