

No. 1

Writ of Summons (0.6,r,1)

CAUSE NO: 97 OF 2012

IN THE GRAND COURT OF THE CAYMAN ISLANDS

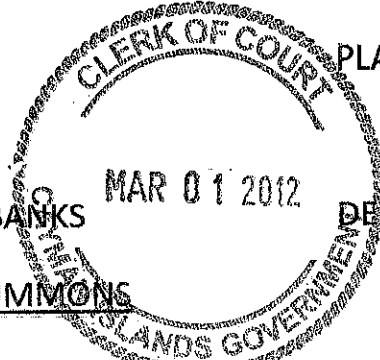
BETWEEN CADIAN EBANKS

PLAINTIFF



M/S BEVERLY MILLER/ EBANKS

DEFENDANT



WRIT OF SUMMONS

THIS WRIT OF SUMMONS has been issued against you by the above named Plaintiff in respect of the claims set out on the following. Pages

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 acknowledgement within the time stated ,or if you return the acknowledgement without stating therein an intention to contest the proceeding ,the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

ISSUED this 07 day of March 2012

NOTE This may not be served later than 4 calender months(,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.

IMPOFTANT

Directions for acknowledgement of service are given with the accompanying form

PARTICULARS OF CLAIM

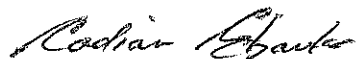
- 1 The Plaintiff is a retired General building contractor, for the Cayman Islands
Born May 14/ 1934 and lives on block 4b parcel 178 since 1956,
My Address is 207A Fountain Road West Bay P.O. Box 223 KY1-1301 A CHRISTIAN
TO God do I serve,
- 2 The Defendant registered Beverly Miller now claims Beverly Ebanks born 11/August 1965
Address unknown Employed at Tanzanite International Fourth Street George Town
- 3 THE PLAINTIFF CLAIMS Contrary to sections 18- 101-103-104-173- of the 2007
Revision of The Penal Code the Defendant in this matter did sign her name under Oath to
An Affidavit which is proved to be her and she did sign on the bottom also.
- 4 The Plaintiff Claims on October 7/ 2011 the defendant under Oath in a Affidavit, did sign
Her name to matters that are not true and have damaged the Plaintiff character The Plaintiff
Claims LIBEL per se for statements made by the defendant Contrary to Section 171 of the
2007 Penal Code now seeks awards from the defendant true this Honourable Court
- 5 The Plaintiff further Claims for PAIN AND SUFFERING from the defendant.
- 6 The PLAINTIFF Claims LIBEL per se for Defamatory Publication Contrary to section 173 of
The 2007 Revision of the Penal Code, for an unsealed envelope which was handed to him,
Which contained defamatory matter and has damaged the Plaintiff character

- 7 The Plaintiff Claims that Contrary to Section 172 of the 2007 PENAL Code the defendant Acted irresponsible and reckless with intent to damage the Plaintiff by exposing him to Ridicule and to damage his reputation.
- 8 The Plaintiff Claims LIBEL per se for Fabricated Evidence ,Contrary to Section 18 of the 2007 Revision of the Penal Code The Plaintiff Claims Joint Offenders , the defendant and her Church friend did constitute in the Defamatory Matter with intent to and of a malicious Nature To harm the Plaintiff reputation .
- 9 THE Plaintiff further Claims LIBEL per se from the defendants for defamation of character, Contrary to section 18 subsection (d) did conspire with intent to do harm.
- 10 The Plaintiff Claims PERJURY from the Defendant Contrary to Section 101 of the 2007 revision of the Penal Code The Plaintiff Claims from the Defendant Knowingly gave false information With intent to mislead the course of justice.
- 11 The Plaintiff Claims Perjury from the Defendant Contrary to Section 103 of the 2007 Revision of the penal Code Did sign her Affidavit and with intent gave false information, The Plaintiff Claims that the Defendant is sane, and she knew her intentions.
- 12 The Plaintiff Claims Perjury from the Defendants Contrary to the Penal code 2007 Revision section 103 Claiming to be living at an address which is not true , and

The number that the defendant claim to be living at do not exist in the house / Street
Numbering in west bay.

- 12 The Plaintiff now claims PERJURY contrary to section 104 of the 2007 revision of
The Penal Code Claiming with intent to be a party to a value of over one hundred thousand
Cayman Dollars

Signed ByThe Plaintiff Cadian Ebanks



THIS 02nd of Day of March 2012

FILED THIS 02nd Of March 2012

AND THE PLAINTIFF NOW CLAIMS

- 1 THE PRINCIPLE AWARDS BY THIS HONOURABLE COURT
- 2 With Interest on the awards at the rate of 18% per Annum from March 02 2012 to date of
Judgment or sooner
- 3 Alternatively the Plaintiff Claims on the said awards Pursuant to Section 34 of the judicature Law
2007 revis

At the rate Of 4.5 % per Annum from the date hereof to the date of judgment or sooner⁴ cost to be taxed or agreed

1 PUNitive AND GENERAL DANAGES

2 court cost C.I. 200, 00.

3 INTEREST on the sum of at the statutory rate ftom. March ⁰¹02 /2012
To date or Judgement or sooner.

FILED THIS DATE ⁰² DAY OF March 2012 by the Plaintiff

CADIAN EBANKS

Cadian Ebanks

THIS Writ was issued by the Plaintiff Whse ADDRESS is Cadian Ebanks 207a Fountain Road West Bay Grand Cayman Phone no 1345 924 4915 Email cadiancadian@hotmail.com

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 Plaintiffs (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 Plaintiffs 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 instalments 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 Acknowledgement of Service and return it to the Courts Office.
2. 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.
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, the form must be completed by him 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 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.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. 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 2012

BETWEEN CADIAN EBANKS

PLAINTIFF

AND

BEVERLY MILLER/ EBANKS

DEFENDANT

AC KNOWLEGMENT 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 cost of applying to set it aside.

1, State **the** full name of the defendan tby whom or on whose behalf the service of the Writ of Summons is being acknowledged.

2. State whether the defendant intends to contest or otherwise participate in the Proceedings (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 proceeding,state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box).

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 Plaintiffs (*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 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 plaintiffs' Attorney (or by plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Cadian Ebanks
P.O. Box 223 WB
Grand Cayman
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.