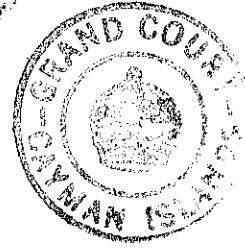


IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION

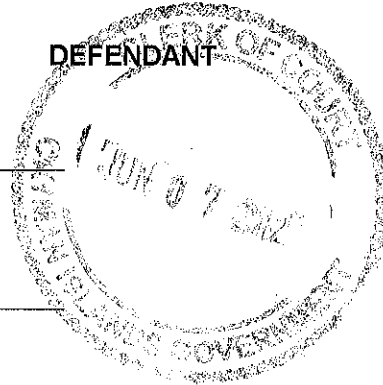


CAUSE NO. 273 / 2012

BETWEEN: COLLETTE BUTLER PLAINTIFF

AND: HOME GAS LIMITED DEFENDANT

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 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 495, George Town, Grand Cayman, KY1-1106 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 _____ day of _____ 2012

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. The Plaintiff was lawfully resident in the Cayman Islands on a work permit as at June 9, 2009.
2. The Defendant is a company duly registered in the Cayman Islands and have been operating in this jurisdiction in excess of fifty years. The Defendant's business includes supplying the public with propane gas.
3. On or about June 9, 2009 the Plaintiff's husband purchased a 25lb cylinder of propane gas from Home Gas Limited for the private domestic purposes of fuelling a gas stove at the Plaintiff's home.
4. After the Plaintiff's husband connected the 25lb gas cylinder to the stove to enable the Plaintiff to cook, the gas stove was turned on and flames emanated from the ground and engulfed the Plaintiff from her feet upwards to her whole body as she stood by the stove preparing a meal. The propane gas cylinder also exploded.
5. The Plaintiff's husband, who was nearby when the accident took place, came to the Plaintiff's rescue and put out the flames which engulfed the Plaintiff.
6. The Plaintiff sustained 3rd degree burns to 40% of her body including the face, upper extremities, torso and lower extremities. She was immediately taken to the Emergency Department of the George Town Hospital and four days later on approximately June 13, 2009, she was transported by air ambulance to the University Hospital of the West Indies in Mona, Jamaica, where she remained in ICU Burn Unit for one month.

**ALLEGATIONS OF NEGLIGENCE AND/OR
BREACH OF STATUTORY DUTY**

7. The Plaintiff claims that the accident was caused by the negligence and/or breach of statutory duty of the Defendant, its agents or servants in that:
 - i. The Defendant, its servants or agents failed to ensure that the propane gas cylinder itself contained a warning about the safe handling and use of propane gas
 - ii. The Defendant, its servants or agents failed and or neglected to promote safe standards and recommended practices in propane gas usage to the public consumers of the propane gas product
 - iii. The Defendant, its servants or agents failed to give warnings that there was grave physical danger involved in the incorrect or inappropriate use of propane gas cylinders.
 - iv. The Defendant, its servants or agents failed to manage a system of inspection of accessories to the propane gas cylinder
 - v. The Defendant, its servants or agents failed to provide a certified or functional cylinder in proper working order to members of the public
 - vi. The Defendant, its servants or agents failed to ensure or certify that the cylinder in question had been filled in accordance with industry practices or regulations in place concerning propane gas cylinders and was safe for use by members of the public
 - vii. The Defendant, its servant or agents failed, bearing in mind the inherent dangers involved in propane gas cylinder usage, to ensure that the cylinder was fit for the purpose intended.

8. As a result of the Defendant's negligence, the Plaintiff who is a 36 year old female (33 years old at the time of injury) has suffered pain, continues to suffer pain, loss, injury and damages.

PARTICULARS OF INJURY

9. The Plaintiff's injuries have not healed completely and thick scarring is still apparent to the naked eye. The Plaintiff's disfigured appearance, together with her health difficulties, causes distress to the Plaintiff and as a result, has lowered her self-esteem and self-confidence.
10. The Plaintiff suffers from pain and discomfort from the wounds and continues therapy.
11. The Plaintiff continues to receive medical care for her injuries and fuller particulars will be made available to the court.

SPECIAL DAMAGES

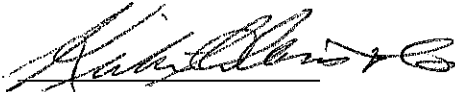
12. The Plaintiff's expenses and medical expenses to date are in excess of CI\$30,562.32 and include but are not limited to:

a. air ambulance	\$14,900.00
b. Cayman Islands hospital bill	\$7,432.50
c. University Hospital of West Indies	\$ 1,229.95
d. medication	\$ 1,000.00
e. support at home	\$ 6,000.00
13. The Plaintiff claims loss of earnings at the rate of approximately CI\$1,200.00 monthly. Approximately 36 months have transpired between the date of the accident and the filing hereof.
14. Future loss of earnings is foreseeable as the Plaintiff suffers from embarrassment and depression as a result of her injuries and has been unable to resume any gainful employment since the time of the accident. Prior to the accident the Plaintiff enjoyed good health and she presumed that she would be able to continue gainful employed until retirement age.

AND THE PLAINTIFF CLAIMS:

1. Special damages and General damages
2. Pre Judgment and Post Judgment interest in accordance with Section 34 of the Judicature Law (1995 Revision)
3. Such further and other relief as this Honourable Court deems fit
4. Costs

Dated this 6th day of June 2012



Keith Collins
Keith Collins & Co
Attorney-at-Law for Plaintiff

This Writ of Summons and Statement of Claim are issued by Keith Collins & Co, Attorneys-at-Law for and on behalf of the Plaintiff, whose address for service is Unit 201, Elizabethan Square, George Town, Grand Cayman, Cayman Islands. Tel: 345 946 -0500.