

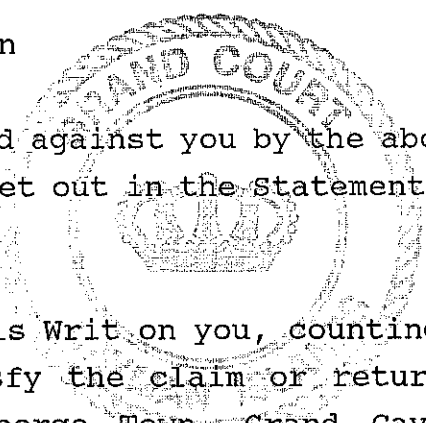
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 251 OF 1997

BETWEEN: MICHAEL BOWERMAN PLAINTIFF  
AND: GEORGE ANTHONY POWELL (1)  
MICHAEL HUGH POWELL (2) DEFENDANTS

WRIT OF SUMMONS

TO: GEORGE ANTHONY POWELL  
of P.O. Box 1623, George Town, Grand Cayman  
and MICHAEL HUGH POWELL  
of Breakers, Grand Cayman

APR 15 1997  
  
THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out in the Statement of Claim annexed.

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 495GT, George Town, Grand Cayman, 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.

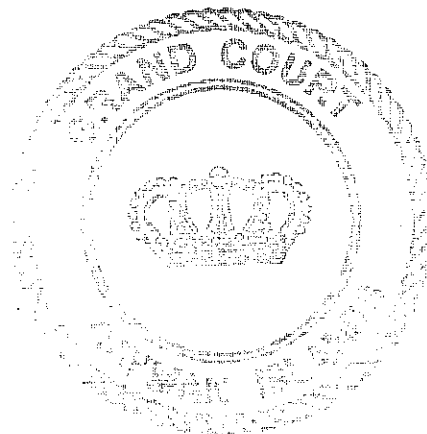
ISSUED this 18<sup>th</sup> day of April 1997

**NOTE** - This Writ may not be served later than 4 calendar 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.

APR 18 1997



FILED BY Messrs. Ritch & Conolly, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of his said Attorneys-at-Law, P.O. Box 1994, 3rd Floor Royal Bank Building, George Town, Grand Cayman, B.W.I.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 25\ OF 1996

BETWEEN: MICHAEL BOWERMAN PLAINTIFF  
AND: GEORGE ANTHONY POWELL (1)  
MICHAEL HUGH POWELL (2) DEFENDANTS

STATEMENT OF CLAIM

1. On the 27th day of July 1996 at approximately 10.10 p.m. Deborah Mary Bowerman was driving a Toyota Camry motor vehicle registration number 61661 belonging to the Plaintiff in a westerly direction along Spotts Road, when a Chevrolet truck registration number 58640 belonging to the First Defendant and being driven by the Second Defendant entered Spotts Road from the direction of Coral Bay Village and collided with the Plaintiff's vehicle.
2. The said collision was caused by the negligence of the Second Defendant while acting as the servant or agent of the First Defendant.

PARTICULARS OF NEGLIGENCE

The Second Defendant was negligent in that:

- (i) He drove onto Spotts Road from Coral Bay Village without keeping a proper or any look-out.
- (ii) He failed to give precedence to the Plaintiff's vehicle at the point of exit from Coral Bay Village unto Spotts Road.
- (iii) He failed to give any indication of his intention to enter Spotts Road.

(iv) He drove into the path of the Plaintiff's car.

(v) He failed to stop, steer or otherwise control the First Defendant's vehicle so as to avoid the collision.

3. By reason of the matters aforesaid the Plaintiff suffered loss and damage.

PARTICULARS OF LOSS

	CI\$
(i) Cost of repair to Plaintiff's vehicle at Campbell's Auto Garage	4,265.00
(ii) Insurance claim excess	950.00
(iii) Cost of Police Report	25.00
(iv) Cost of car rental while Plaintiff's vehicle unroadworthy	<u>327.51</u>
<b>TOTAL</b>	<b><u>5,567.51</u></b> <b>=====</b>

4. Further the Plaintiff is entitled to and hereby claims interest pursuant to the Judicature Law (1995 Revision) and the Judgment Debts (Rates of Interest) Rules 1996 on the sum of CI\$5,567.51 from 27th July 1996 at the rate of 7 3/8% per annum amounting to CI\$278.99 at the date hereof [1.4.1997] and continuing hereafter until Judgment or sooner payment at the rate of CI\$1.12.

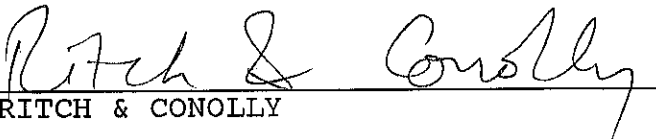
**AND THE PLAINTIFF CLAIMS:-**

1. The sum of CI\$5,567.51;
2. Alternatively, damages;
3. Pre-Judgment interest pursuant to the Judicature Law (1995 Revision) and the Judgment Debts (Rates of Interest) Rules 1996 as aforesaid;



4. Post-Judgment interest pursuant to the Judicature Law (1995 Revision) and the Judgment Debts (Rates of Interest) Rules 1996;
5. Costs.

DATED the 18<sup>th</sup> day of April 1997

  
RITCH & CONOLLY

TO: The Clerk of Court  
AND TO: The Defendants

FILED BY Messrs. Ritch & Conolly, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of his said Attorneys-at-Law, P.O. Box 1994GT, 3rd Floor Royal Bank Building, George Town, Grand Cayman, B.W.I.