

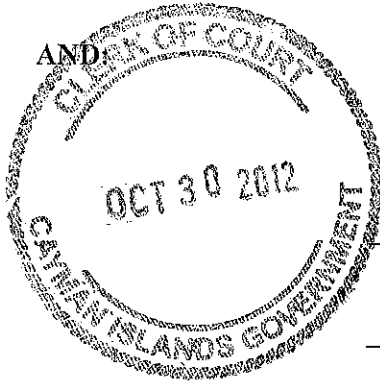
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 442 OF 2012

BETWEEN:

FIRST CARIBBEAN INTERNATIONAL
BANK (CAYMAN) LIMITED

PLAINTIFF



LIZA KANDLER THYNE



DEFENDANT

WRIT OF SUMMONS

TO: Liza Kandler Thyne of PO Box 11981, Grand Cayman KY1-1010

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, PO Box 495, George Town, Grand Cayman KY1-1106, 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 proceedings, the Plaintiff may proceed with the action and judgement may be entered against you forthwith without further notice.

ISSUED this day of October 2012

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 Acknowledgement of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The Plaintiff is a Bank ("the Bank") carrying on business at 25 Main Street, PO Box 68, George Town, Grand Cayman KY1-1102 to, inter alia, offer retail facilities to its customers.
2. The Defendant was at all material times a resident in the Cayman Islands and a customer of the Bank.
3. By a written agreement entered into between the Plaintiff and the Defendant on 11 June 2009 ("the Agreement"), it was agreed (inter alia) that the Defendant would borrow from the Plaintiff CI\$131,500 ("the Loan Amount") to assist with the purchase of an apartment unit, at George Town South, Block 14D, Parcel 419H85 costing CI\$146,500 ("the Property")
4. Interest on the Loan Amount would accrue at a rate of 4.0% per annum above the Plaintiff's Prime Lending rate for CI Dollars.
5. The Agreement provides that:
 - 5.2 Repayment of the Loan Amount was to be made in 240 regular blended monthly payments of CI\$1,040 each.
 - 5.3 The last payment plus any outstanding principal and interest together with any other amount due under the Agreement is due on 30 May 2029.
6. The Agreement further provides that in the event that the Defendant breaches any conditions or covenants in the Agreement, the Loan Amount is repayable immediately and without notice.
7. Since or about August 2009, the Defendant has failed to pay the full amount of the monthly installments due in respect of the Loan Amount loaned and in respect of interest.
8. Despite demand, the Defendant has failed/refused and neglected to satisfy the amount outstanding.
9. On 4 August 2010, the Bank applied to enforce a charge over the Property under the Registered Land Law (2004 Revision) and an Order was granted entitling the Bank to sell the Property to recover its debt. However, the Bank has been unable to sell the property as no property or buildings insurance has been in effect.
10. The Bank is nevertheless entitled to and claims on the Agreement.

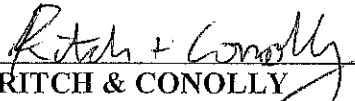
11. As at 20 June 2012 the debt outstanding under the Agreement amounted to CI\$183,596.87

AND THE PLAINTIFF CLAIMS AGAINST THE DEFENDANT:

1. Payment of the principle sum of CI\$152,922.97.
2. Interest of CI\$32,736.31 and continuing from the date hereof at the rate of 4.0% p.a above the CI prime rate, being a daily sum of CI\$27.74.
3. Late fees of CI\$1,120;
4. Costs; and
5. Such further and/or other relief as this Honourable Court deems appropriate.

If, within the time limited for acknowledging service of these proceedings, the Defendant pays to the Plaintiff's attorneys the total amount claimed (including costs) further proceedings will be stayed.

Dated the 29th day of October 2012


RITCH & CONOLLY
Attorneys at Law for the Plaintiff

TO: The Clerk of the Court
AND TO: The Defendant of PO Box 11981, Grand Cayman KY1-1010

BETWEEN:

FIRSTCARIBBEAN INTERNATIONAL BANK (CAYMAN) LIMITED

PLAINTIFF

AND

LIZA KANDLER-THYNE

DEFENDANT

ACKNOWLEDGMENT 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 costs of applying to set it aside.

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 Plaintiff (*tick box*)
 yes no

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.

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

Ritch & Conolly
P.O. Box 1994
Grand Cayman KY1-1104

Ref: EG/11855

Endorsement by defendant's Attorney (or by defendant if suing in person) of his name, address and reference, if any, in the box below.