

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 181 OF 2013

BETWEEN:

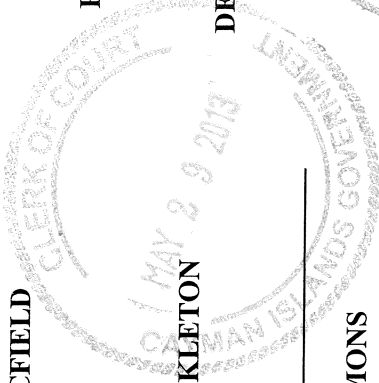
LINDA DARNELL MCFIELD

PLAINTIFF

AND:

OLGA ROBERTS-FRECKLETON

DEFENDANT



WRIT OF SUMMONS

TO: OLGA ROBERTS-FRECKLETON
62-A Templeton Street
George Town, Grand Cayman

Name and address of Defendant's motor vehicle insurer:

Insurance Company of the West Indies
150 Smith Road Plaza
P.O. Box 461, Grand Cayman KY1-1106

THIS WRIT OF SUMMONS has been issued against you by the above named Plaintiff, of 27 Mocking Bird Crescent, Spotts-Newlands, P.O. Box 1020, George Town, Grand Cayman KY1-1102 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 29th day of May 2013.

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.

AND THE PLAINTIFF CLAIMS:

That she suffered personal injuries and damages in motor vehicle accident which occurred as the result of the negligence of the Defendant in the operation by the Defendant of a Mazda Familia motor vehicle bearing registration plate number 105-994 on 30 May 2010 at Crewe Road and Thomas Russell Way, in George Town, Grand Cayman, when the Defendant turned the Defendant's motor vehicle across the path of the Plaintiff's motor vehicle coming into collision with the Plaintiff's motor vehicle.

The Defendant's motor vehicle was required to be insured at the time pursuant to the Motor Vehicle Insurance (Third Party Risks) Law (2007 Revision), and was so insured by the Insurance Company of the West Indies.

The Plaintiff's injuries include injuries to her low back with radiation into her legs, resulting in chronic low back pain for which she has undergone nerve blocks, which provided only temporary relief and for which she is to undergo surgery by Dr Lowell Stanley, neurosurgeon in June 2013 in an effort to alleviate her symptoms.

As a result of her chronic low back pain the Plaintiff has been unable to work for extended periods and unable to work full time and has suffered a loss of income to date of \$59,500.00.

The Plaintiff therefore claims:

- (a) General damages for pain and suffering and loss of amenities to be assessed;
- (b) Special damages including loss of income;
- (c) Pre-judgment and post-judgment interest pursuant to s.34 of the Judicature Law (2007 Revision) and Rules 4 and 5 of the Judgment Debts (Rates of Interest) Rules 1995 as varied by the Judgment Debts (Rates of Interest) Rules 2008, 2010 and 2012.
- (d) Her costs of this action.

Full particulars of the Plaintiff's loss and damages will be provided in the Plaintiff's Statement of Claim to be filed.

DATED at Grand Cayman this 29th day of May 2013.

HAMPSON - CO.
Hampson and Company
Attorneys for the Plaintiff

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