

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE NO: **G0045** OF 2016

BETWEEN

APPLEBY (CAYMAN) LTD.

PLAINTIFF

AND

KAZUKO TAKADA

DEFENDANT

WRIT OF SUMMONS

TO: KAZUKO TAKADA - 853 7th Avenue, 12C, Manhattan, New York, NY 10006, United States of America.

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, PO Box 495, 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 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 March 2016

NOTE - This Writ may not be served later than four calendar months (or, if leave is required to effect service out of the jurisdiction, six 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.

THIS WRIT was issued by Appleby (Cayman) Ltd., Attorneys-at-Law for the Plaintiff whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref.JW/KR),

STATEMENT OF CLAIM

1. The Plaintiff is a law firm providing legal services at 75 Fort Street, Clifton House, P.O. Box 190, Grand Cayman KY1-1104, Cayman Islands.
2. By a retainer in writing dated 7 August 2013 ("the Retainer") the Defendant engaged the Plaintiff to provide legal advice and representation for her in relation to divorce proceedings between the Defendant as Petitioner and Alexander Lorenz as Respondent in proceedings issued in the Grand Court of the Cayman Islands, Cause no FAM 25 of 2012.
3. It was an express term of the Retainer (paragraph 5 of the Retainer letter and confirmed in the attached Terms of Engagement under "Billing and Payment") that the Defendant is liable to pay interest at the rate of 10 percent per annum on any outstanding balance of bills rendered, not being settled within 14 days of the invoice being rendered.
4. As of the date of this writ, the Defendant is indebted to the Plaintiff for fees and disbursements totalling US \$333,725.03, full particulars of which have been provided to the Defendant.
5. The Plaintiff claims interest on all outstanding bills, from the date the bill was rendered as follows:

Invoice Number	Date	Balance Outstanding	Interest	Total	Daily rate of Interest
3381337	23-Apr-15	\$10,422.25	\$902.31	\$11,324.56	\$2.86
4010749	11-May-15	\$19,527.66	\$1,594.31	\$21,121.97	\$5.35
3386869	08-Jun-15	\$119,442.49	\$8,835.47	\$128,277.96	\$32.72
3391403	14-Jul-15	\$88,752.50	\$5,689.89	\$94,442.39	\$24.32
3392826	23-Jul-15	\$7,200.00	\$443.84	\$7,643.84	\$1.97
3396817	24-Aug-15	\$795.00	\$42.04	\$837.04	\$0.22
3399599	11-Sep-15	\$23,486.68	\$1,126.07	\$24,612.75	\$6.43
3403796	13-Oct-15	\$5,535.00	\$216.85	\$5,751.85	\$1.52
4001860	17-Nov-15	\$370.00	\$10.95	\$380.95	\$0.10
4005382	23-Dec-15	\$22,784.00	\$449.44	\$23,233.44	\$6.24
4007290	11-Jan-16	\$24,304.45	\$352.91	\$24,657.36	\$6.66
4010799	01-Mar-16	\$11,105.00	\$0.00	\$11,105.00	\$3.04 *
Total		\$333,725.03	\$19,664.08	\$353,389.11	\$88.39 **

* payable from 15 March 2016

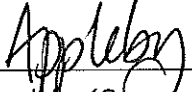
** \$91.43 from 15 March 2016

THIS WRIT was issued by Appleby (Cayman) Ltd., Attorneys-at-Law for the Plaintiff whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref.JW/KR),

AND THE PLAINTIFF claims:

- 1: US\$ 333,725.03
- 2: Interest as set out in paragraph 5 above
- 3: Interest accruing after the date of this Writ at a daily rate of US\$88.39 to 15 March 2016, and a daily rate of US\$91.43 thereafter;
- 5: Costs

Dated this [] day of March 2016



Appleby (Cayman) Ltd.
Attorneys for the Plaintiff

INDORSEMENT

The principal amount claimed in respect of the debt is US\$353,389.11 at the date hereof. If within the time for returning the Acknowledgement of Service, the Defendant pays the said amount together with ad valorem fees of US\$1766.95 and filing fees of US\$200.00, further proceedings will be stayed. The money must be paid to the Plaintiff or his Attorney.

THIS WRIT was issued by Appleby (Cayman) Ltd., Attorneys-at-Law for the Plaintiff whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref.JW/KR),

NO. 8

Acknowledgment of Service of Writ of Summons (O.12, R.3)

**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 495, 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 Plaintiff (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 Plaintiff 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

Please complete overleaf

THIS WRIT was issued by Appleby (Cayman) Ltd., Attorneys-at-Law for the Plaintiff whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref.JW/KR),

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.

THIS WRIT was issued by Appleby (Cayman) Ltd., Attorneys-at-Law for the Plaintiff whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref.JW/KR),

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE NO: OF 2016

BETWEEN APPLEBY (CAYMAN) LTD. (A FIRM) PLAINTIFF
AND KAZUKO TAKADA 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.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

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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

Please complete overleaf

THIS WRIT was issued by Appleby (Cayman) Ltd., Attorneys-at-Law for the Plaintiff whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref.JW/KR),

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

Appleby (Cayman) Ltd.
Attorneys-at-Law
Clifton House
75 Fort Street
P.O. Box 190
Grand Cayman KY1-1104

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

THIS WRIT was issued by Appleby (Cayman) Ltd., Attorneys-at-Law for the Plaintiff whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref.JW/KR),