

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 40 OF 2017

BETWEEN:

SERGEI ROZIN AND MAIA ROZIN  
(trading as OLD CASTLE & CO a General Partnership)

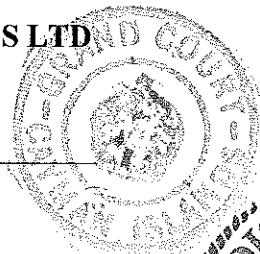
Plaintiff

AND

CAYMAN SEA ADVENTURES LTD

Defendant

WRIT OF SUMMONS



TO: CAYMAN SEA ADVENTURES LTD  
 Cayman International Corporate & Marine Services Ltd  
 P.O. Box 822  
 2<sup>nd</sup> Floor, Jack & Jill Building  
 19 Fort Street  
 George Town  
 Grand Cayman, KY1-1103

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 28 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 GT, Grand Cayman, 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 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 28<sup>th</sup> day of February 2017

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 issued unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Services are given with the accompanying form

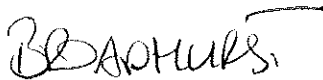
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**GENERAL INDORSEMENT**

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1. At all material times the Plaintiffs carried on business as Old Castle & Co a general partnership licensed in Ontario, Canada. Sergei and Maia Rozin address is 20 Lower Links Rd, Toronto, Ontario, Canada, M2P 1H6.
2. The Defendant is a company incorporated in the Cayman Islands whose registered office is Cayman International Corporate & Marine Services Ltd, 2<sup>nd</sup> Floor, Jack & Jill Building, 19 Fort Street, George Town, Grand Cayman, KY1-1103, Cayman Islands.
3. The Plaintiffs' claim is for US\$ 383,730.00 (the "Debt") due from the Defendant pursuant to written agreements dated 16 February 2010 and 18 March 2010 secured by a promissory note dated 28 February 2010 (the "Note"). Despite the demands of the Plaintiffs' the Defendant has not paid the debt or satisfied the Note.
4. The Plaintiffs' claim is for the Debt together with all other sums falling due under the Note together with pre and post judgment interest pursuant to section 34 of the Judicature Law and legal costs.

Dated this 28<sup>th</sup> day of February 2017



**Broadhurst LLC**

Attorneys-at-Law for the Plaintiff

This Writ of Summons was issued by Broadhurst LLC, Attorneys for the Plaintiff, whose address for service is 40 Linwood St, P.O. Box 2503 GT, Grand Cayman, Cayman Islands, British West Indies

### **DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE OF WRIT OF SUMMONS**

1. The accompanying form of *Acknowledgement 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, PO Box 495, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgement 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 endorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2). The Defence must be served within fourteen (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 endorsed on the Writ, the Defence need not be served until fourteen (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 fourteen (14) days after his Acknowledgement, 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 installments or otherwise.

#### **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 fourteen (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 authorized to act on behalf of the Company, but the Company can take no further steps in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL HEALTH 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.

BETWEEN:

SERGEI ROZIN AND MAIA ROZIN  
(trading as OLD CASTLE & CO a General Partnership)

Plaintiff

AND

CAYMAN SEA ADVENTURES LTD

Defendant

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ACKNOWLEDGEMENT OF SERVICE  
OF WRIT OF SUMMONS

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If you intend to instruct an attorney-at-law to act for you, give this from to them 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 or otherwise participate in the proceedings (tick appropriate box).

Yes

No

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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

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Service of the Writ is acknowledged accordingly,

(Signed) \_\_\_\_\_

Attorney for

**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 liability company, "residence" means the company's registered principal office.

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

<p><b>Broadhurst LLC</b> 40 Linwood Street, George Town PO Box 2503, Grand Cayman KY1- 1104 Cayman Islands</p>
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Indorsement by the Defendant's Attorney (or by Defendant if defending in person) of his name, address and reference, if any, in the box below.

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