

IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN, GRAND CAYMAN
CIVIL JURISDICTION

CAUSE NO. 681 OF 1997

BETWEEN: MRS JEWELL SMALLDON **PLAINTIFF (1)**
WILLIAM SMALLDON **PLAINTIFF (2)**
AND: CURLIS CHRISTIAN **DEFENDANT**

WRIT OF SUMMONS

TO: Curlis Christian
Dr Roy's Drive
George Town
Grand Cayman



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.

We command you that 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, P.O. 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 Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiffs may proceed with the action and judgement may be entered against you forthwith without further notice.

Issued this 22nd day of September, 1997.



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 issue unless renewed by order of the Court).

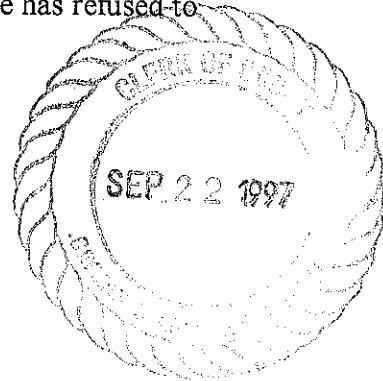
IMPORTANT

Directions for Acknowledgement of Service are given with the accompanying form.

STATEMENT OF CLAIM

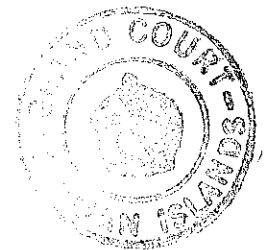
AND THE PLAINTIFF claims:-

1. The sum of CI\$3,000.00 paid to the Defendant on account in relation to the purchase of Cayman Brac East Block 11E, Parcel 193 and evidenced by receipt dated the 17th July, 1996 and signed by the Defendant.
2. The Plaintiffs, since the agreement, was made for the purchase of the aforesaid property on the 17th July, 1996 has since been informed that the Defendant, although holding himself out to be the proprietor of the said property is not the registered proprietor of the said property. The Plaintiffs have made a number of oral demands upon the Defendant for the return of the said CI\$3,000.00, but up until the present date the Defendant has not paid the outstanding amount and further he has refused to pay the same.
3. The Plaintiffs also claims interest pursuant to the Judicature Law.
4. Costs.
5. Such further and other relief as this Honourable Court deems fit and proper.



PARTICULARS

Outstanding amount due CI\$3,000.00.

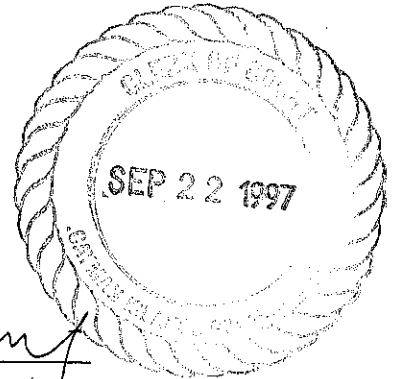


If, within the time for returning the Acknowledgement of Service, the Defendant pays the total amount claim of :-

Amount owing	CIS\$3,000.00
Court fees	CIS\$ 100.00
Bailiff fee	CIS\$ 30.00
Legal fees	<u>CIS\$ 750.00</u>
TOTAL AMOUNT	<u>CIS\$3,880.00</u>

Further proceedings will be stayed. The money must be paid to the Plaintiffs or their Attorney-at-Law.

Dated this 22nd day of September, 1997.



Nervik & Company

NERVIK & COMPANY

ATTORNEYS-AT-LAW

for the Plaintiffs herein

THIS WRIT is issued by Nervik & Company, Attorneys-at-Law for the Plaintiffs herein, whose address for service is that of their said attorneys, Jack & Jill Building, Fort Street, George Town, Grand Cayman



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 judgement 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 Acknowledgement of Service, 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 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 "trading as (_____)" 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.

Service of the Writ is acknowledged accordingly

(Signed)

[Attorney] for

[Defendant in person]

Address for service:

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 space below.

Indorsement by Defendant's Attorney (or by defendant if suing in person) of his

name, address and reference, if any, in the space below.
