

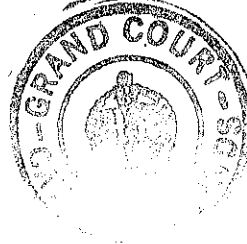
**IN THE GRAND COURT OF THE CAYMAN ISLANDS**

**CAUSE NO. 792 OF 1997**

**BETWEEN**                    **SHELLY ANN ARTHURS**                    **PLAINTIFF**  
**AND**                            **A. STEVE McFIELD**                            **DEFENDANT**  
  **(as Executor Estate Marguerite**  
  **Escenta McField, Deceased, Testate)**

**WRIT OF SUMMONS**

**TO: A. STEVE McFIELD**  
**c/o A. Steve McField & Assocs.**  
**Mary Street**  
**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.

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, P.O. Box 495G, 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 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 <sup>25<sup>th</sup></sup> day of November, 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.

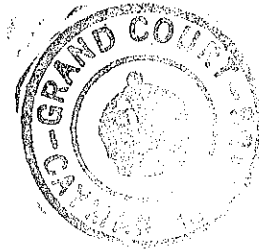
ENDORSEMENT

The Plaintiff claims against the Defendant for Declarations that she is the lawful owner of Block 14CF Parcel 173; that the Defendant holds the said property upon trust for her. Further that the Defendant do transfer the said property to her or alternatively pay to her the market value of the said property as assessed. And still further damages for detinue and conversion and loss of income. Particulars of the said claim being more specifically detailed in the Statement of Claim hereto.

Dated the 25 day of November 1997.  
Filed the        day of November 1997.

*L. A. Samson & Co.*

-----  
L. A. Samson & Co.  
Attorneys-at-Law for the Plaintiff



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

CAUSE NO. 792 OF 1997

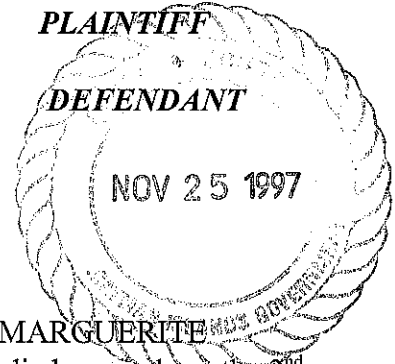
**BETWEEN**                      **SHELLY ANN ARTHURS**

**PLAINTIFF**

**AND**

**A. STEVE McFIELD**  
*(as Executor Estate Marguerite  
Escenta McField, Deceased, Testate)*

**DEFENDANT**



**STATEMENT OF CLAIM**

1. The Plaintiff is and was at all material times the daughter of MARGUERITE ESCENTA McFIELD, late of Prospect, Grand Cayman who died on or about the 2<sup>nd</sup> day of March 1997, Testate.
2. The Defendant is and was at all material times, a Lawyer by profession trained in the requirements of the law and was as well the nephew-in-law of the deceased and the sole Executor and Trustee in the paper document purporting to be and to contain the Last Will and Testament of the deceased bearing date the 26<sup>th</sup> day of February 1997 and was the Lawyer who drafted the said Last Will and Testament.
3. The said paper document was probated in the Probate and Administration Division of this Honourable Court on or about the 17<sup>th</sup> day of April 1997.
4. The deceased was at the time of her death possessed inter alia of all that parcel of land and premises thereon situate at George Town Block 14CF Parcel 173 and on which said property the Club/Bar known as "Farmers Bright Spot" is located (hereinafter referred to as "the said property").
5. That prior to the death of the deceased, the deceased represented to the Plaintiff that the said property would belong to the Plaintiff upon her death.
6. Pursuant to the said representation and acting on the faith and in reliance on the said representation the Plaintiff, with full knowledge consent and/or approval of the deceased made considerable expenditure towards the improvement, repair, maintenance and upkeep of the said property.
7. The Plaintiff acting on the faith of and in reliance on the said representation further purchased goods, equipment, appliances, furniture and fittings to equip the Bar/Club known as Farmers Bright Spot situate on the said property. Such purchases included, but is not limited to, a pool table, music set, two (2) televisions, quantities of liquor, sodas, wines, assorted drinks, a counter top, six (6) wall mirrors, two (2) ceiling disco

lights, freezer, cooler, snack bar, two (2) air-conditioning units, stoves, refrigerators, twelve (12) bar stools, tables and chairs.

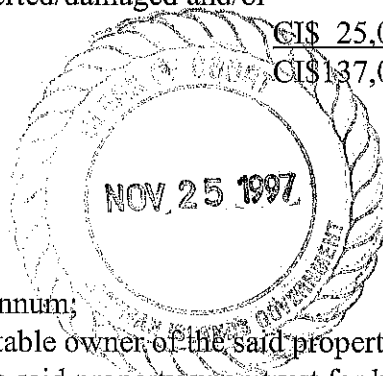
8. The Plaintiff was at all material times from the date of the said representation up until the 16<sup>th</sup> day of August 1997 managing and operating the said property and was solely responsible for the payment of all duties, rates and outgoings thereon.
9. By reason of the matters aforesaid the deceased, her heirs, assigns, servants and/or agents are estopped from denying that the Plaintiff is the equitable owner of the said property.
10. Under the provisions of the said paper document the deceased purported to make a devise of the said property to the Defendant and one Kent Rankine.
11. On or about the 16<sup>th</sup> day of August 1997 the Defendant without any or any proper notice changed the locks on the said property and prevented the Plaintiff, her servants and/or agents from entering or remaining upon the said property for the purpose of conducting her business or for removing her said belongings.
12. That the Defendant, his servant and/or agents subsequently damaged and/or destroyed several of the Plaintiff's belongings.
13. By reason of the matters aforesaid the Defendant has detained the Plaintiff's property and converted it to his own use.
14. In the premises the Plaintiff has suffered loss and damage and incurred expense.

**PARTICULARS OF SPECIAL DAMAGES**

- |     |   |                |
|-----|---|----------------|
| (a) | Loss of income - 16/8/97-22/11/97<br>Sixteen (16) weeks @ C1\$7,000.00 per week<br>and continuing | C1\$112,000.00 |
| (b) | Value of Goods detained/converted/damaged and/or<br>destroyed                                     | C1\$ 25,000.00 |
|     |   | C1\$137,000.00 |

***AND THE PLAINTIFF CLAIMS:***

1. The sum of C1\$;
2. Interest thereon at the rate of 8 3/8% per annum;
3. A Declaration that the Plaintiff is the equitable owner of the said property;
4. A Declaration that the Defendant holds the said property upon trust for her;



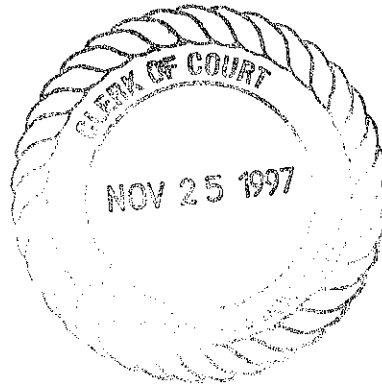
5. An Order that the Defendant do transfer the said property to the Plaintiff and in the event that the Defendant fails, neglects or refuses so to do that the Registrar of Lands be empowered so to do;
6. Further and in the alternative that the Defendant do pay to the Plaintiff the market value of the said property;
7. Damages;
8. Costs;
9. Further or other relief as may be just.

Dated this 25<sup>th</sup> day of November 1997.

Filed this        day of November 1997.

L. A. Samson & Co.

L. A. Samson & Co.  
Attorneys-at-Law for the Plaintiff



THIS WRIT and STATEMENT OF CLAIM was issued by L. A. Samson & Co., Attorneys-at-Law, for and on behalf of the Plaintiff, whose address for service is that of her said Attorneys-at-Law, Ground Floor, Sigma Building, Smith/Hospital Roads, George Town, Grand Cayman.



*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 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 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:*

L. A. SAMSON & Co.  
The Ground Floor (West Wing)  
Sigma Building  
Smith/Hospital Roads  
George Town  
Grand Cayman

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

[Empty box for Defendant's Attorney indorsement]