

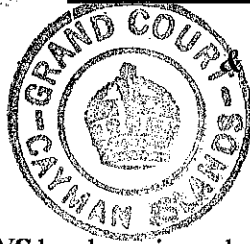
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 827 OF 1997

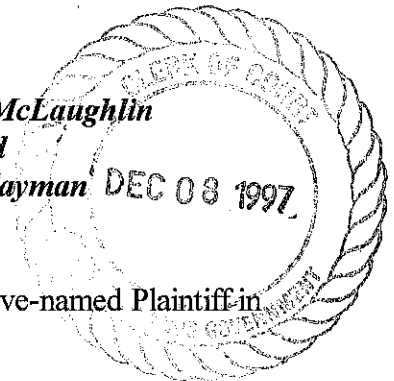
BETWEEN CHADWICK WEBSTER PLAINTIFF
AND DEVON McLAUGHLIN 1st DEFENDANT
AND GEORGE McLAUGHLIN 2nd DEFENDANT

WRIT OF SUMMONS

**TO: Devon McLaughlin
 East End
 Grand Cayman**



**George McLaughlin
East End
Grand Cayman** DEC 08 1997



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 8th day of Dec. 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.

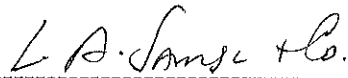
IMPORTANT

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

ENDORSEMENT

The Plaintiff claims against the Defendants to recover damages for personal injuries sustained in an accident on or about the 29th day of July 1997 on the Half Way Moon Bay, East End Road, when the First Named Defendant negligently drove and operated motor-vehicle owned by the Second Named Defendant, thereby causing the same to collide with a motor-vehicle in which the Plaintiff was a passenger and in so doing occasioning serious injury, damage and cost to the Plaintiff.

Dated the 8th day of December 1997.



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

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

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 829 OF 1997

BETWEEN *CHADWICK WEBSTER* *PLAINTIFF*

AND *DEVON McLAUGHLIN* *1ST DEFENDANT*

AND *GEORGE McLAUGHLIN* *2nd DEFENDANT*

ACKNOWLEDGEMENT 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 judgement being entered against a Defendant whereby he May have to pay the costs of applying to set it aside.

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

2. State whether the Defendant intends to contest the proceedings (tick the 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 judgement entered by the Plaintiff (tick box).

yes

Service of the Writ is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in person]

Address for service:

Please complete overleaf

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:

<p>L. A. SAMSON & CO. The Ground Floor (West Wing) Sigma Building Smith/Hospital Roads George Town Grand Cayman</p>
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Indorsement by Defendant's Attorney (or by Defendant if suing in person) of his name, address and reference, if any, in the box below:

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IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 829 OF 1997

<i>BETWEEN</i>	<i>CHADWICK WEBSTER</i>	<i>PLAINTIFF</i>
<i>AND</i>	<i>DEVON McLAUGHLIN</i>	<i>1st DEFENDANT</i>
<i>AND</i>	<i>GEORGE McLAUGHLIN</i>	<i>2nd DEFENDANT</i>

STATEMENT OF CLAIM

1. The Plaintiff was at all material times a passenger in Daihatsu Charade motor vehicle licensed 63240 owned by Estrella Aparece and driven by Franklin Perez.
2. The First Defendant was at all material times the driver of Toyota Corolla motor vehicle licensed 63203 and the agent and/or servant of the Second Named Defendant, with whose authority and permission he drove the said vehicle.
3. The Second Defendant was at all material times the registered owner of Toyota Corolla motor vehicle licensed 63203 and the holder of motor insurance coverage in respect of third part liability as required at Law, and duly authorised or consented to the First Named Defendant driving the said motor vehicle at the material time.
4. On or about the 29th day of July 1997 the First Named Defendant so negligently drive the aforesaid Toyota Corolla motor-vehicle along the Half Moon Bay East End Road that it crossed the dividing line of the said road and violently crashed into the aforementioned Daihatsu Charade, being driven in the opposite direction, in which the Plaintiff was a passenger.

Particulars of Negligence

- (a) Driving at an excessive speed.
- (b) Driving on the wrong side of the road and there colliding with the vehicle in which the Plaintiff was a passenger.
- (c) Failing to keep any or any proper look out or to have any or any sufficient regard for other traffic, particularly on-coming traffic, on the road.
- (d) Falling asleep whilst driving a motor-vehicle.
- (e) Driving at a time when he was clearly incapable of managing or controlling a motor vehicle, by reason of fatigue.
- (f) Failing to stop, slow down, to swerve or in any other way so to manage or control the motor-vehicle so as to avoid the collision.

5. By reason of the these matters, the Plaintiff sustained injuries and has suffered loss and damage.

Particulars of injuries

- (a) Serious jaw and head injuries (to be more specifically detailed on receipt of comprehensive medical report on completion of medical treatment of Plaintiff).

Particulars of Special Damages

(a) Cost of Traffic Accident Report	CI\$ 75.00
(b) Loss of wages to 5/12/97 (& continuing)	CI\$5,955.00
(c) Hospital Charges (continuing)	<u>CI\$4,362.05</u>
TOTAL	CI\$10,392.05

6. The Plaintiff will continue to incur expenses relating to treatment and necessary ancillaries.
7. The Plaintiff will continue to have a diminished income until or if he achieves a level of sufficient recovery to enable him to resume his employment at pre accident levels.

AND THE PLAINTIFF CLAIMS:

1. General Damages.
2. Special Damages.
3. Interest upon the said damages pursuant to the Judicature Law (1995 Revision) and the Judgement Debts (Rate of Interest) Rules 1996 at the rate prescribed of 7 3/8% or at such other rate as may be prescribed or as this Honourable Court deems just from the date of issuance of these proceedings.

Dated the 8th day of December 1997.

Filed the 8th day of December 1997.

L. A. Samson & Co

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

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