

IN THE GRAND COURT OF THE CAYMAN ISLANDS

BETWEEN:

OASIS LAND DEVELOPMENT LIMITED

AND:

EVERTON MALCOLM



CAUSE NO. 189 OF 2019

PLAINTIFF

DEFENDANT



WRIT OF SUMMONS



To the Defendant:

Everton Malcolm  
P.O. Box 152 Savannah  
52 Luke Forbes Drive  
Grand Cayman, Cayman Islands



**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, 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 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 **6** day of **November** 2019

**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.

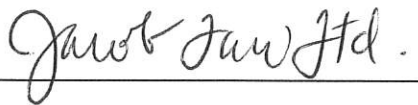
## STATEMENT OF CLAIM

THE PLAINTIFF claims USD 498,114.03 from the Defendant pursuant to a Personal Guarantee by Everton Malcolm given to the Plaintiff by the Defendant and dated 31 January 2019.

AND the Plaintiff claims:

- (1) The sum of **USD 498,114.03** owed to the Plaintiff by the Defendant.
- (2) Interest in accordance with the Judicature Law (2007 Revision) and the Judgment Debts (Rates of Interest) Rules as amended from time to time.
- (3) Costs

If, within the time for returning the Acknowledgment of Services, the Defendant pays the total amount claimed of US\$498,114.03, further proceedings will be stayed. The money must be paid to the Plaintiff or its Attorney.



Attorney on behalf of Plaintiff

Jacob Law Ltd.

Plaintiff's address for service:

**Jacob Law Ltd.**  
**720 West Bay Road**  
**2<sup>nd</sup> Fl, Phase II, Buckingham Square**  
**George Town, Grand Cayman**  
**Cayman Islands**

Phone: 926-3377 Email: [djacob@jacoblaw.ky](mailto:djacob@jacoblaw.ky)

**IN GRAND COURT IN THE CAYMAN ISLANDS**

**CAUSE NO. \_\_\_\_ OF 2019**

**BEWTWEEN:**

**OASIS LAND DEVELOPMENT LIMITED**

PLAINTIFF

**AND:**

**EVERTON MALCOLM**

DEFENDANT

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**ACKNOWLEDGEMENT OF SERVICE OF WRIT OF SUMMONS**

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If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY.

**Important.** Read the accompany 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 cost of applying to set it aside.

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

2. State whether the Defendant intends to contest 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

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 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.

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