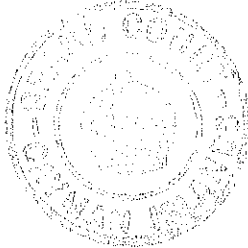


IN THE GRAND COURT OF THE CAYMAN ISLANDS

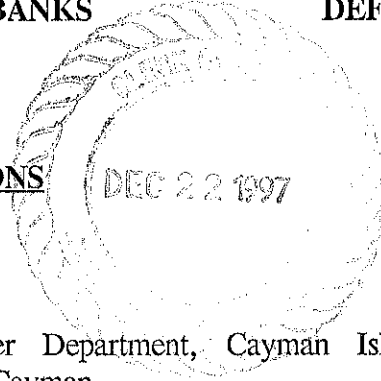
CAUSE NO. 848/97

BETWEEN: WINSOME YVONNE BERRY PLAINTIFF

AND: DEBRA PATRICIA EBANKS DEFENDANT



WRIT OF SUMMONS



TO: DEBRA PATRICIA EBANKS, c/o Computer Department, Cayman Islands Government, The Tower Building, 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 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 495G, George Town, Grand Cayman, the accompanying Acknowledge 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 22nd day of December 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

1. The Plaintiff is and was at all material times was the lawful wife of Mr. George Berry. The Plaintiff and the said George Berry were married on the 21st day of August 1996.
2. The Defendant is and at all material times was the ex-wife of the aforesaid Mr. George Berry a Decree of Dissolution of their marriage having been pronounced on the 16th day of August 1991.
3. On numerous occasions between August 1996 and May of 1997 the Defendant came uninvited to the Plaintiffs home late in the evening and began banging on the front door and shouting abuse at the Plaintiff.
4. On at least one of the aforementioned occasions the Defendant shouted out words to the effect that she wanted her man back and that if this not happen she was going to kill the Plaintiff.
5. On the 14th April, 12th and 20th May 1997 the Defendant wrote letters to the Chief Immigration Officer of the Cayman Islands and sent copies of those letters to permanent Secretary of the Cayman Islands, the Plaintiffs employer and two Members of the Legislative Assembly Mr. Mckeeva Bush and Mr. Kirk Tibbetts. The aforesaid letters contained untruths and were written maliciously with a view to claiming the Plaintiffs character and to causing injury and damage to the Plaintiff.
6. On Friday 9th May 1997 the Defendant again came uninvited to the Plaintiffs home and began shouting and banging on the door. The Defendant threatened to run the Plaintiff over with her truck and added words to the effect that she had killed her first husband and had got away with it and that she could do the same thing to the Plaintiff and get away with it too.
7. On Sunday the 11th day of May 1997 the Defendant drove past the Plaintiff who was walking in the street and verbally abused the Plaintiff.
8. In or around June 1997 the Defendant posted copies of letters dated 24th and 29th May 1997 purportedly signed by Blossom Berry and Violently Berry .In various prominent locations along Eastern Avenue and North Sound Road near to the Plaintiffs residence and outside the Plaintiffs place of work where they could be viewed by members of the general public. The said letters contained untruths and were prepared and published in the manner aforesaid maliciously with a view to causing injury and damage to the Plaintiff.

9. In around July 1997 the Defendant made a false and malicious report to the police in which she accused the Plaintiff of practicing obeah. As a result the Plaintiffs house was searched by the police and the Plaintiff and her husband were subjected to police questioning
10. On the 2nd day of September, 1997 the Defendant wrote a letter to the Plaintiffs Attorneys-At-Law C.S. Gill & Co of P.O. Box 945, George Town Grand Cayman. The Defendant sent a copy of the letter to the Immigration Department. The letter contained an untrue statement namely that the Plaintiff had paid someone the sum of CI\$1,500 (one thousand and five hundred dollars) to have the Defendant killed. The act of sending a copy of the said letter to the Immigration Department was designed specifically to cause harm and damage to the Plaintiff.
11. In or around October 1997 the Defendant whilst driving her car passed the Plaintiff who was standing talking to a friend by a telephone booth on Eastern Avenue hurled verbal abuse at the Plaintiff saying "Winsome Berry want to kill me". The Defendant turned her car around and drove up and down past the Plaintiff at least three times continuing to hurl verbal abuse at her.
12. On the 28th day of November 1997 the Defendant uninvited drove into the apartment complex where the Plaintiff lives and began swearing and verbally abusing the Plaintiff in front of her husband. On this occasion the Defendant used words to the effect that the Defendant had killed her first husband and the Plaintiff had nearly killed hers. The Defendant also used words to the effect that the Plaintiff was using her husband to stay in the Cayman Islands and that the Defendant was trying to protect him from the Plaintiff. The Defendant also falsely stated that the Plaintiff had another man. When the Defendant tried to approach the Plaintiffs apartment she was restrained by the Plaintiffs husband. The Plaintiff who was fearful for her safety went inside and telephoned the police.
13. Over the past two weeks the Defendant has begun to drive around the vicinity of the Plaintiffs home looking for the Plaintiff and has on at least two occasions since the 8th day of December 1997 nearly run down neighbours of the Plaintiff who the Defendant has claimed she mistook for the Plaintiff.
14. On the 16th day of December 1997 outside Hew's Janitorial, North Sound Road, Grand Cayman the Defendant attempted to run the Plaintiff over in her car. The incident took place whilst the Plaintiff and a friend were out shopping. Subsequently the Defendant threatened to physically harm the Plaintiff using words to the effect that the Plaintiff must come and fight the Defendant as the Plaintiff had fought the Defendants daughter for asking for CI\$125.00 (one hundred and twenty five dollars). The Defendant left her vehicle and had to be restrained by two bystanders. In fear the

Plaintiff took refuge inside Hew's Janitorial and subsequently made a formal report to the police.

15. On or around the 17th day of December 1997 the Defendant together with her daughter made a false and malicious report to the police as a result of which the Plaintiff was arrested and taken to the George Town police station.
16. As a result of the aforementioned matters the Plaintiff has suffered loss and damage.

AND the Plaintiff claims:-

1. An injunction to restrain the Defendant from whether by her servants and/or agents from molesting, harassing, stalking, communicating with or otherwise howsoever from interfering with the Plaintiff which latter expression shall include submitting false reports to the police communicating in any way with the Immigration department or Members of Executive Council or Members of the Legislative Assembly concerning the Plaintiff or her affairs, and communicating with the Plaintiffs employers.
1. An injunction to restrain the Defendant from using or threatening to use violence against the Plaintiff.
2. An injunction to restrain the Defendant from coming within 100 metres of the Plaintiff's residence known as 21 Kentsville Apartment North Sound Road, George Town, Grand Cayman and within a 100 metres from the Plaintiffs place of work at the Marriot Hotel, West Bay Road, Grand Cayman.
3. Damages.
4. Interest.
5. Costs.

C.S. Gill & Co.

C.S. GILL & CO.

Attorneys-At-Law for the Plaintiff

THIS WRIT was issued by C.S. Gill & Co, Attorneys-at-Law, whose address for service is 4th floor, Genesis Building, PO Box 945, George Town, Grand Cayman, BWI. PREC-GC.1