

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 89 OF 1998

BETWEEN: NATIONAL CONCRETE LTD.

PLAINTIFF

AND: FRANK CORNWALL

DEFENDANT



WRIT OF SUMMONS

To: Frank Cornwall
George Town.



THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of a claim set out the next page.

Within fourteen (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 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 judgement may be entered against you forthwith without further notice.

Issued the 2nd day of February, 1998.

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.

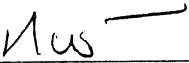
SPECIAL INDORSEMENT

1. The plaintiff is a Local Company licenced to sell ready mixed concrete.
2. The defendant is a builder.
3. On the 17th October, 1997 the plaintiff delivered 49 yards of ready mixed concrete to the defendant's job site in East End at a price of \$5,875.00. On the 24th October, 1997 the defendant gave the plaintiff a cheque for \$5,875.00 which cheque, when presented to the bank was returned to the plaintiff and marked, "Refer to Drawer" The defendant was informed and a demand was made for payment in cash. On the 21st November the defendant paid \$1,000.00 and promised to pay the balance the following month but has not done so.

Wherefore the plaintiff claims:-

The balance of \$4, 875.00 with interest at the rate of 7 3/8 % p.a from the 24th October, 1997 until payment with costs to be taxed or agreed.

Dated this 2nd day of February, 1998.



Neville W. Levy & Associates

Filed by Neville W. Levy & Associates, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of the said Attorneys at the Thompson Building, P.O.Box 2178, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 1998.

BETWEEN: NATIONAL CONCRETE LTD PLAINTIFF

AND: FRANK CORNWALL 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 Defendants whereby they may have to pay the costs of applying to set it aside.

1. Frank Cornwall
2. State whether the Defendant intend to contest the proceedings. (tick "yes" or "no")
3. State whether the Defendant intend to apply for a stay of execution judgement entered by the Plaintiff. (tick "yes")

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.

Neville W. Levy & Associates
Thompson Building, George Town.
P.O. Box 2178.

Indorsement by Defendants' Attorneys (or by defendant if suing in person) of his name, address and reference , if any, below.