

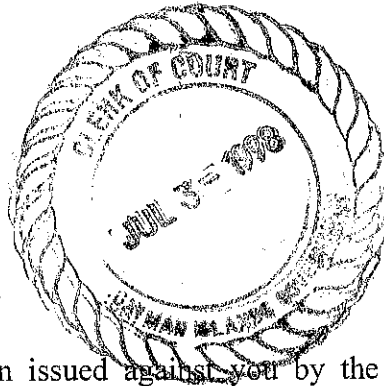
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 411 OF 1998

BETWEEN: JACQUES SCOTT & COMPANY LIMITED **PLAINTIFF**
AND: PATRICIA EDWARDS-KLINE **DEFENDANT**
(T/A WHITEHALL BAY RESTAURANT)

WRIT OF SUMMONS

TO: Patricia Edwards-Kline
c/o Whitehall Bay Restaurant
P O Box 1532
North Church Street
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 of Summons on you, counting the day of service, you must either satisfy the claim or return to the Courts Office, P.O. Box 495, 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 judgment may be entered against you forthwith without further notice.

Issued this 3rd day of July, 1998.

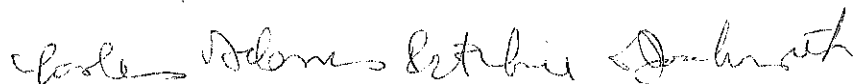
NOTE:- This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue unless renewed by Order of the Court.

IMPORTANT

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

INDORSEMENT

The Plaintiff's claim is for CI\$2,781.02 against the Defendant as guarantor under a Guarantee Agreement dated 12th August, 1996 whereby she undertook to be liable for all moneys due to the Plaintiff in respect of goods supplied to Whitehall Bay Restaurant pursuant to the said agreement.



**CHARLES ADAMS, RITCHIE & DUCKWORTH
ATTORNEYS-AT-LAW FOR THE PLAINTIFF**

This Writ was issued by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies (Ref: RWM/lcs/003-117)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 1998

BETWEEN: JACQUES SCOTT & COMPANY LIMITED PLAINTIFF
AND: PATRICIA EDWARDS-KLINE DEFENDANT
(T/A WHITEHALL BAY RESTAURANT)

STATEMENT OF CLAIM

1. The Plaintiff is a company duly registered under the laws of the Cayman Islands and is licensed to carry on business as wholesalers and retailers of, *inter alia*, liquors, beer and wine in the Cayman Islands.
2. The Defendant is a resident in the Cayman Islands.
3. On the 12th August, 1996 in consideration of the Plaintiff granting credit facilities to Whitehall Bay Restaurant, the Defendant, the owner and operator thereof, agreed to be liable for all monies due to the Plaintiff subsequent to the agreement.
4. The Defendant agreed, *inter alia*;
 - (a) to pay to the Plaintiff the amount of any and all purchases charged to the Defendant's account not later than 15 days after the Plaintiff's Statement of Account, made up as of the first day of each month; and

(b) that an interest charge at the rate of 1½% per month (calculated on a daily basis) might be added on any amount due if not received prior to the next billing date and thereafter on all amounts in arrears until paid.

5. In pursuance of the said agreement the Plaintiff supplied and delivered to the Defendant the goods itemized in the invoices on the dates and at the costs marked thereon. Copies of the said invoices, have been delivered to the Defendant.
6. By letter dated the 19th March, 1998 the Plaintiff demanded that the Defendant pay the sum of CI\$2,781.02 being the cost of the said goods together with the interest outstanding thereon up to the 28th February, 1998.
7. Notwithstanding the said demand, the Defendant has made no payment towards the settlement of this debt.

AND THE PLAINTIFF CLAIMS:-

1. The sum of CI\$2,781.02.
2. Pre-Judgment Interest thereon at the rate of 1½% per month calculated on a daily basis from the 1st day of March, 1998 to the date of issue of the Writ being CI\$111.54.
3. Post-Judgment Interest thereafter pursuant to Section 34 of the Judicature Law (1995 Revision).
4. Costs.

STATEMENT REGARDING INTEREST

- (i) The rate of Pre-Judgment Interest claimed is 1 ½% per month calculated on a daily basis.
- (ii) The date from which interest is calculated is the 1st March, 1998.
- (iii) The amount of interest accruing hereafter is CI\$0.62 per day.



CHARLES ADAMS, RITCHIE & DUCKWORTH
ATTORNEYS-AT-LAW FOR THE

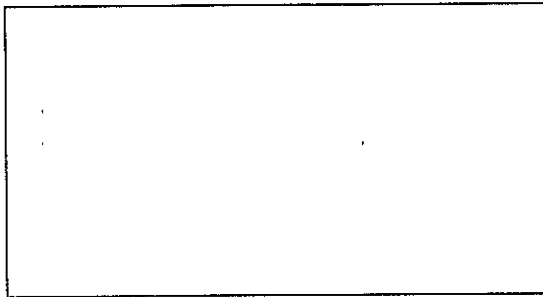
This Statement of Claim was filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies (Ref: RWM/lcs/003-117).

Notes on address for service

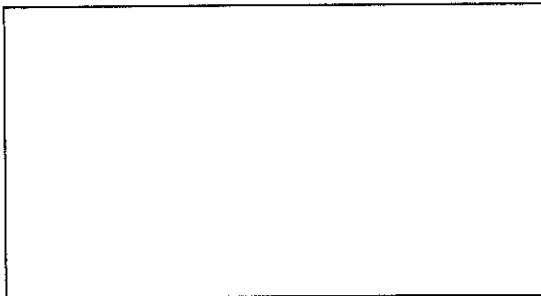
Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

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.

Indorsement by Plaintiff's attorney (or by Plaintiff is 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.



Filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of its said Attorneys-at-Law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I. (Ref: RWM/lcs/003-117)

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Writ of Summons)".
4. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "partner in the firm of (.....)" after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorised to act on behalf of the company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a *guardian ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.