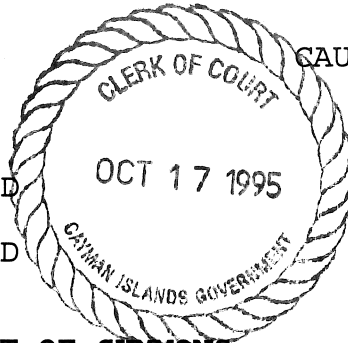


IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO 457 OF 1995

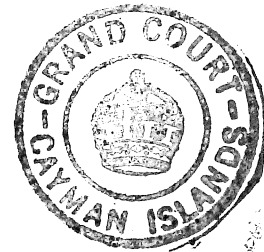
BETWEEN: MONTGOMERY LTD  
AND: PACESETTER LTD



PLAINTIFF  
DEFENDANT

WRIT OF SUMMONS

TO: PACESETTER LTD  
c/o West Shore Centre  
West Bay Road  
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, 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 judgment may be entered against you forthwith without further notice.

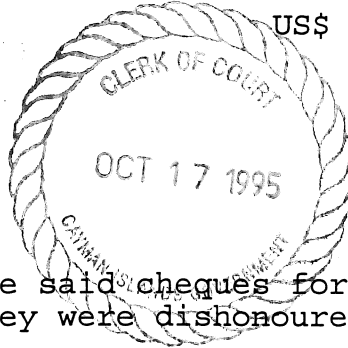
Issued this 17<sup>th</sup> day of October, 1995.

**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 this Court

**STATEMENT OF CLAIM**

1. The Defendant drew the undernoted cheques upon the First Cayman Bank Ltd payable to the Plaintiff.

<u>Cheque No.</u>	<u>Date of Cheque</u>	<u>Amount</u>
259	5.09.94	US\$ 500.00
261	14.10.94	500.00
262	30.10.94	500.00
263	15.11.94	500.00
264	30.11.94	500.00



2. The Plaintiff duly presented the said cheques for payment on the undermentioned dates but they were dishonoured.

<u>Cheque No.</u>	<u>Date of Presentation</u>
259	5.09.94
261	14.10.94
262	31.10.94
263	15.11.94
264	30.11.94



3. By letter dated the 9th January 1995 the Plaintiff, by its agent International Fragrances Incorporated duly gave to the Defendant notice of the dishonour of the cheques.
4. By reason of the said dishonour the Plaintiff has suffered loss and damage.

PARTICULARS

	<u>Amount</u>
Cheque No. 259 principal	500.00
Interest at 8 3/8% per annum from 5.9.94 to 16.3.95 (being the date when the undernoted payment of US\$500.00 was credited to the Plaintiff's account)	22.03
less payment received	(500.00)
Cheque No. 261 principal	500.00
Interest less payment received at 8 3/8% per annum from 14.10.93 to the date of the Writ	42.10

Cheque No. 272 principal  
Interest at 8 3/8% per annum from 31.10.94 to the date of the Writ

500.00  
40.15

Cheque No. 262 principal  
Interest at 8 3/8% per annum from 15.11.94 to the date of the Writ

500.00  
38.43

Cheque No. 263 principal  
Interest at 8 3/8% per annum from 30.11.94 to the date of the Writ

500.00  
36.71

US\$2179.42

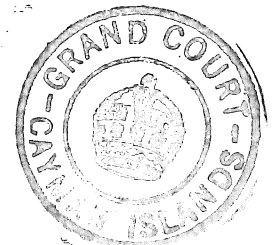
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AND THE PLAINTIFF CLAIMS;

1. The said sum of US\$2179.42
2. Interest pursuant to Section 34 (1) of the Judicature Law (1995 Revision) at 8 3/8% per annum from the date hereof until judgment or soon of payment.
3. Costs.

If within the time for returning the Acknowledgement of Service, the Defendant pays the total amount claimed of US\$2179.42 and the sum of US\$350.00 in respect of costs and fees further proceedings will be stayed. The money must be paid to the Plaintiff or its attorney

Bruce Campbell & Co  
Bruce Campbell & Co.  
Attorneys-at-Law  
for the Plaintiff



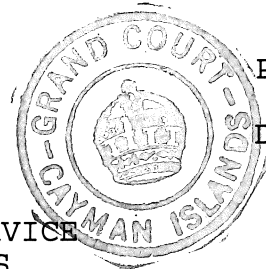
THIS WRIT was issued by Bruce Campbell & Co., Attorneys-at-Law for the Plaintiff herein whose address for service is 4th floor, Bank of Nova Scotia Building, George Town, Grand Cayman

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO 457 OF 1995

BETWEEN: MONTGOMERY LTD

AND: PACESETTER LTD



PLAINTIFF

DEFENDANT

ACKNOWLEDGMENT 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 judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

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

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

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.

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

**Bruce Campbell & Co.  
Attorneys-at-Law  
4th Floor  
P.O. Box 884  
GEORGE TOWN**

*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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