

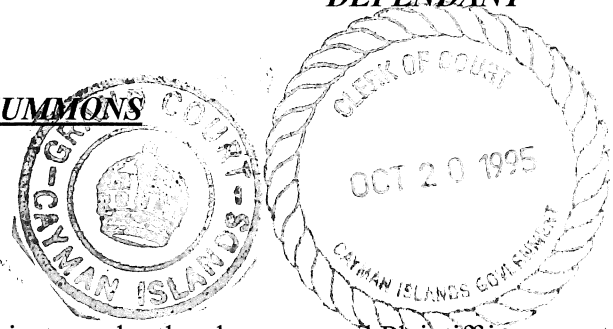
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. *460* OF 1995

BETWEEN *PERCIVAL NATHANIEL VASSEL* *PLAINTIFF*
AND *REGINALD BRANCH* *DEFENDANT*

WRIT OF SUMMONS

TO: REGINALD BRANCH
c/o Central Police Station
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 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, Grand Cayman, the accompanying Acknowledgment of Service stating whether you intend to contest these proceedings.

If you fail to satisfy the claim or to 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 *20th* day of *October* 1995.

NOTE - This Writ may not be served later than 4 calendar 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 against the Defendant is to have the registration of the Defendant as a joint proprietor of property being Registration Section George Town East Block 20B Parcel 31 canceled as the Defendant obtained the Plaintiff's signature to the Transfer of Land Form effecting the said registration was obtained by fraud or mistake.

Dated the *10th* day of *October* 1995.

L.A. Samson & Co.

Plaintiffs Attorneys-at-Law



FILED by L. A. Samson & Co., Attorneys-at-Law, for and on behalf of the Plaintiff whose address for service is that of his said Attorneys-at-Law, Suite D-1 Cayman Business Park, Thomas Russell Way, George Town, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 460 OF 1995

BETWEEN

PERCIVAL NATHANIEL VASSEL

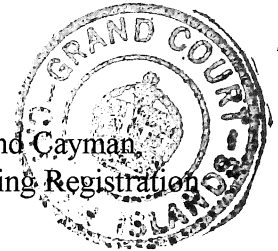
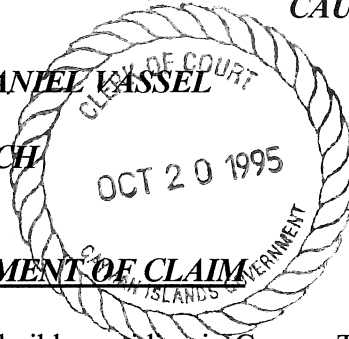
PLAINTIFF

AND

REGINALD BRANCH

DEFENDANT

STATEMENT OF CLAIM



1. The Plaintiff is a 76 year old retired builder residing in George Town, Grand Cayman, Cayman Islands and was at all material times the proprietor of property being Registration Section George Town East Block 20B Parcel 31.
2. The Defendant is an officer of the Royal Cayman Islands Police Force and was at all material times a resident of the Grand Cayman Island.
3. Sometime in or about 1988 the Plaintiff became ill and was hospitalised and had a piece of steel surgically implanted in his hip. The Plaintiff at the said time suffered from diabetes.
4. That in or around April 1989 the Plaintiff requested the assistance of the Defendant to take him to the Cayman National Bank for the purposes of enquiring into a loan the Plaintiff had previously negotiated with the said Bank.
5. That consequent on the said visit the Plaintiff negotiated a further loan with the said Bank in the amount of CI\$43,100.00.
6. That shortly thereafter the Defendant visited the home of the Plaintiff and informed him that he needed to accompany the Defendant to see a Justice of the Peace in order for the Plaintiff to sign a document required by the Bank to facilitate the said loan.
7. That the Defendant drove the Plaintiff to the Government Administration Building (The Glass House) parking lot, where, in the presence of a Justice of the Peace, he handed the Plaintiff a document to sign.
8. Acting on the faith and truth of the representation by the Defendant that the document related to his loan with the Bank the Plaintiff signed and completed the said document all the while believing it to be a document related to the loan he had previously negotiated at the Bank.
9. That on or about the 2nd day of October 1995 the Plaintiff made enquiries at the Land Registry with regards to his said property and discovered that the document he had been induced to sign by the Defendant was a Transfer of Land Form and did not relate to any Bank transaction as had been represented to him by the Defendant.

10. That the said document is patently false in its representation that the Defendant paid and the Plaintiff received from the Defendant the sum of CI\$120,700.00 as consideration for the said Transfer.
11. That the Defendant made the said representation fraudulently and either well knowing that they were false and untrue or recklessly not caring whether they were true or false.
12. That the Plaintiff signed the said document under a mistaken belief as to the nature and the quality of the document executed by him.
13. That so soon as he discovered that the said representations were untrue the Plaintiff by letter from his Attorney-at-Law dated the 3rd day of October 1995 repudiated the said signing and demanded that the Defendant take steps to rectify the Land Register in relation to the said property.
14. That to date the Defendant has taken no steps known to the Plaintiff to rectify the said Register.
15. By reason of the matters aforesaid the said Transfer of Land was obtained by fraud and/or misrepresentation on the part of the Defendant and is therefore void.

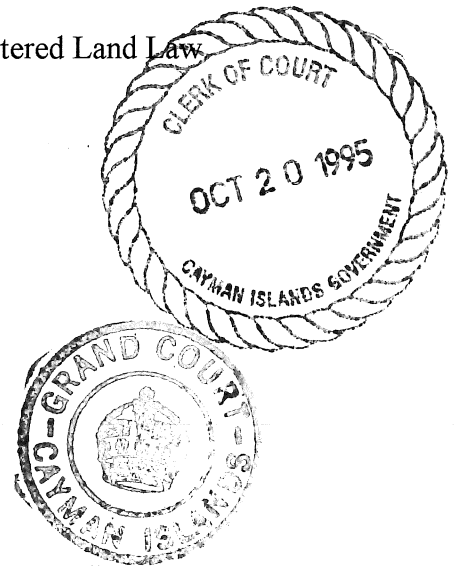
AND THE PLAINTIFF CLAIMS:

- (a) Cancellation of the said Transfer
- (b) Rectification of the Land Register under Part X of The Registered Land Law
- (c) Costs
- (d) Further or other relief.

Dated the 20th day of *October* 1995.

L. A. Samson & Co.

L. A. Samson & Co.
Attorneys-at-Law for the Plaintiff



FILED by L. A. Samson & Co., Attorneys-at-Law, for and on behalf of the Plaintiff whose address for service is that of his said Attorneys-at-Law, Suite D-1 Cayman Business Park, Thomas Russell Way, George Town, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 460 OF 1995

BETWEEN PERCIVAL NATHANIEL VASSEL PLAINTIFF

AND REGINALD BRANCH 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)

() yes

Service of the Writ is acknowledged accordingly

(Signed)

[Attorney] for [Defendant in person]

Address for service

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 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.

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