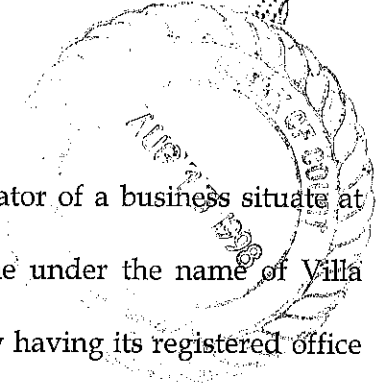


STATEMENT OF CLAIM

1. The Plaintiff is a Caymanian housewife living at Northwest Point, West Bay, Grand Cayman.
2. The Defendant company is or was the owner and/or operator of a business situate at North Side, Grand Cayman operating at the material time under the name of Villa Caribe and/or Ole Jud's. The Defendant is a local company having its registered office at P.O. Box 1355, George Town, Grand Cayman.
3. On the 15th December, 1995 the Plaintiff attended a public function at the premises owned and/or operated and/or managed by the Defendant.
4. At a time somewhere between 11.00 p.m. and 12.00 mid-night (or thereabouts) the Plaintiff fell in an opening that was uncovered and/or unprotected and the said opening was not lighted efficiently or at all, as a result of which the Plaintiff suffered personal injuries and loss.
5. In the premises the Plaintiff was injured by reason of breach of statutory and/or duty negligence the part of the Defendant's, their servants or agents in failing to light the said opening and/or cover the said opening in order to prevent anyone falling or suffering injury.



PARTICULARS OF NEGLIGENCE

- (a) Failing to light the offending opening;
- (b) Failure to protect or cover the said opening so as to prevent the Plaintiff from falling into the said opening;
- (c) Failing to warn the Plaintiff and other persons of the presence of such a danger.

As a result of the fall the Plaintiff suffered personal injury, loss and damage.

PARTICULARS OF PERSONAL INJURIES

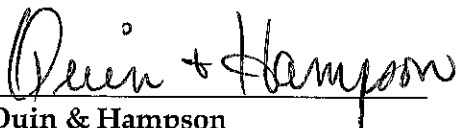
- (a) The Plaintiff suffered a compression of the L1 vertebrae. The injury has been described as severely comprising the L1 joint. As a result of the injury the Plaintiff has suffered severe back pain in the lower back and legs. The injury is potentially permanent and she may require further surgery.
- (b) As a result of the injury the Plaintiff has suffered loss and damage.

And the Plaintiff claims from the Defendant:-

- (a) Medical expenses;
- (b) Damages for the loss and damage she has sustained as a result of the Defendant's negligence.

- (c) General damages for pain and suffering and loss of amenity;
- (d) Special damages;
- (e) Interest on any award pursuant to the Judicature Law;
- (g) Costs.
- (h) Further and/or other relief.

Dated this 12th day of August, 1998.


Quin & Hampson
Attorneys-at-Law for the Plaintiff

THIS WRIT was filed by Messrs. Quin & Hampson, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of their said Attorneys-at-Law, Harbour Centre, Third Floor, P.O. Box 1348, George Town, Grand Cayman.

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE

OF WRIT OF SUMMONS

1. The accompanying form of *Acknowledgment of Service* should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person

After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495, George Town, Grand Cayman

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

See over for notes for guidance

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 his 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.



IN THE GRAND COURT OF THE CAYMAN ISLANDS

Cause No. of 1998

BETWEEN: DEBBIE ANN MOLINA PLAINTIFF
AND: OLE JUD'S RESORT LTD. 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 the Defendants whereby they 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.

Messrs. Quin & Hampson
Attorneys-at-Law
Third Floor, Harbour Centre
P.O. Box 1348
George Town,
GRAND CAYMAN

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