

No. 1

Writ of Summons (0.6, r.1) IN



COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

BETWEEN: Cayisle Enterprises Ltd. t/a CEL Cooling & Supply PLAINTIFF

AND: Air Supply FIRST DEFENDANT

Wayne Lynch SECOND DEFENDANT

WRIT OF SUMMONS

TO:

Air Supply and
Wayne Lynch
PO Box 1547
47 Ashgo Street
Grand Cayman, KY1-1110
Cayman Islands

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 495, Grand Cayman, Cayman Islands the accompanying Acknowledgment of Service stating therein 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 24th day of March 2023

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.

STATEMENT OF CLAIM

1. The Plaintiff is a general commercial company operating in the Cayman Islands.
2. The First Defendant is a company and a customer of the Plaintiff. The Second Defendant is the Director/Owner of the First Defendant and is pursued in his own right by reason of a personal Guarantee.
3. Pursuant to an Agreement dated 23rd January 2020 the First Defendant engaged the Plaintiff to provide equipment and supplies. The Plaintiff provided the equipment and supplies as contracted. There was an express term of the Agreement that invoices tendered would be due and payable by the 21st day of the month. Further, the Second Defendant provided a personal Guarantee for any debts of the First Defendant to the Plaintiff.
4. From the 5th March 2021 until 6th October 2021 the Plaintiff tendered numerous invoices to the First Defendant each invoice was of itself a demand. Despite demands made by the Plaintiff of the First Defendant including a letter of demand on the 11th October 2022 and 3rd November 2022 the debt has not been discharged. As of 28th February 2023 the debt owed to the Plaintiff was CI\$32,766.12.
5. Interest is claimed from 5th May 2021 in the amount of CI\$3,079.12 and continuing until judgment or sooner payment at the daily rate of CI\$4.49.
6. The Plaintiff seeks pre and post-judgment interest of the outstanding sum at the statutory rate of 2.375% per annum pursuant to Section 34 Judicature Law (2021 Revision) and the Judgment Debts (Rates of Interest) Rules (2021 Revision) or for such period and for such rate as this Honourable Court deems just.

AND THE PLAINTIFF claims:

- a) the liquidated sum of CI\$32,766.12 or in the alternative damages;
- b) interest as aforesaid;
- c) costs;
- d) such further and other relief as this Honourable Court may deem fit.

ANDERSONS
ANDERSONS
Attorney for the Plaintiff

THIS WRIT was issued by ANDERSONS whose address for service is 81 Billy Manderson Drive, PO Box 31559, Grand Cayman, KY1-1207, Cayman Islands.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

BETWEEN: Cayisle Enterprises Ltd. T/A CEL Cooling & Supply PLAINTIFF

AND: Air Supply FIRST DEFENDANT

Wayne Lynch SECOND 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) D yes D 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) D yes D no

Service of the Writ is acknowledged accordingly

(Signed).....

Attorney for

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.

ANDERSONS
81 Billy Manderson Drive
Grand Cayman, KY1-1207
Cayman Islands
Email: hbodden@Andersons345.com
Telephone: 345.938.571

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