

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 624 OF 1998

BETWEEN: QUARRY PRODUCTS

PLAINTIFF

AND: HECTOR GARCIA

DEFENDANT

WRIT OF SUMMONS

TO: HECTOR GARCIA, GEORGE TOWN, GRAND CAYMAN, 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 495G, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or 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 judgement may be entered against you forthwith without further notice.

Issued this day of 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 the order of the court.

IMPORTANT

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

STATEMENT OF CLAIM

1. The Plaintiff claims that the Defendant on or about the 30th August 1997, obtained fill material from the Plaintiff on a credit account.
2. The Defendants said credit account with the Plaintiff is now more than 90 days in arrears, in the amount of CI\$ 5,105.99.
3. Despite several requests, the Defendant refused and still refuses to pay the sum of CI\$ 5,105.99 and the sum of CI\$ 5,105.99 remains due and payable.

AND THE PLAINTIFF claims:

1. The sum of CI\$ 5,105.99
2. Interest thereon at the prescribed rate from 30th August 1997 to date,
3. Cost.

DATED this 3rd day of September 1998

A Steve McField & Associates
A STEVE McFIELD & ASSOCIATES
Attorneys-at-Law for the Plaintiff

To: The clerk of the court

And to: The Defendant

THIS WRIT was issued by A STEVE McFIELD & ASSOCIATES, Attorneys-at-Law for and on behalf of the Plaintiff, whose address for service is that of her said Attorney, P O Box 680, #15 Mary Street, Grand Cayman, Cayman Islands, B.W.I.

IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO: 624 OF 1998

BETWEEN: QUARRY PRODUCTS PLAINTIFF
AND: HECTOR GARCIA DEFENDANT

ACKNOWLEDGEMENT 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 Originating Summons is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate option).

Yes _____ No _____

Service of the Endorsed Writ of Summons is acknowledged accordingly
(Signed).....

(Attorney) for

(Defendant in person)

Address for service:

Notes on address for service

DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE OF ORIGINATING SUMMONS

The accompanying form of Acknowledgement of Service should be completed by an Attorney acting on behalf of the Defendants or by the Defendants 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.

Notes for Guidance

1. The Defendants are required to complete an Acknowledgement of Service and return it to the Courts Office.
2. If you wish to defend claims made in the Originating Summons, or intend to attend the proceedings and to participate in them so far as necessary (although not necessarily in an adversarial manner), you should tick the "yes" box in paragraph 2 of the Acknowledgement of Service.
3. For the purpose of calculating the period of 14 days for acknowledging service, an originating summons served on the Defendants personally is treated as having been served on the day it was delivered to them.
4. Where the Defendants are sued in a name different from their own, the form must be completed by them with the addition in paragraph 1 of the words "sued as (the name stated on the Originating Summons)"
5. Where the Defendant is a FIRM and an attorney is 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.
6. Where the Defendants are 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.
7. Where the Defendants are a LIMITED COMPANY, the form must be completed by an attorney or by someone authorized 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.
8. Where the Defendants are a MINOR or a MENTAL PATIENT, the form must be completed by an attorney acting for a guardian ad litem.
9. A Defendant acting in person may obtain help in completing the form at the Court's Office.

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 principle office.

**A STEVE McFIELD & ASSOCIATES
Attorneys-at-Law for the
Plaintiff/Applicant**

**Attorneys-at-Law for the
Respondent**

FILED BY: A Steve McField & Associates, Attorneys-at-Law for and on behalf of the Plaintiff, whose address for service is that of their said attorney, P O Box 680, # 15 Mary Street, George Town, Grand Cayman, Cayman Islands, B.W.I.