

**IN THE GRAND COURT OF THE CAYMAN ISLANDS**

Cause No *656* of 19 *98* .

Between:

**ELBERT ALLEN**

Plaintiff

-and-

**JAMES CHRISTOPHER BUSH**

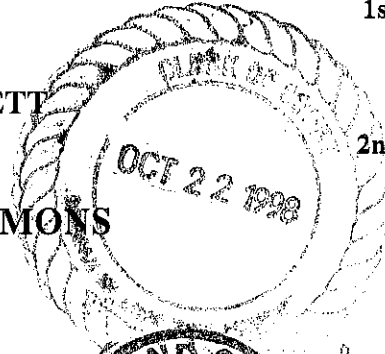
1st Defendant

-and-

**NASH JARRETT**

2nd Defendant

**WRIT OF SUMMONS**



To: James Christopher Bush, the 1st Defendant, and  
Nash Jarrett, the 2nd Defendant  
79 Dias Road  
George Town  
Grand Cayman  
Cayman Islands, B.W.I.

**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, G.T. Grand Cayman, Cayman Islands, 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 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 the *22nd* day of *October*, 19*98* .

**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 Acknowledgement of Service are given with the accompanying form.

## STATEMENT OF CLAIM

1. In June, 1995 the 1st Defendant rented premises from the Plaintiff at 79 Dias Road, George Town, Grand Cayman.
2. On the 10th of November, 1995 the Defendant was imprisoned at Northward Prison and no longer occupied the premises until his return on the 24th of December, 1997. However, although the 1st Defendant was in prison, he continued to pay rent to the Plaintiff up until June, 1997.
3. From the 24th of December, the 1st Defendant resumed living in the Plaintiffs premises. However, for the past ten months, has paid no rent and has turned out to be an undesirable person.
4. The 2nd Defendant is living along with the 1st Defendant and has been doing so since the first week of January, 1998.
5. At the beginning of September the 1st and 2nd Defendants were given a letter of eviction to quit the premises by or before September 30th, 1998. To date they have refused to leave the premises.

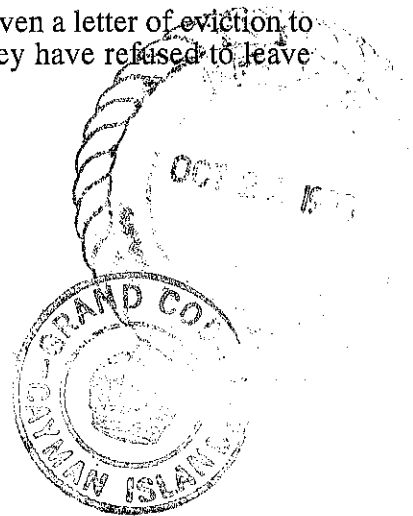
### AND THE PLAINTIFF claims:

1. An Order for Eviction against the 1st Defendant;
2. An Order for Eviction against the 2nd Defendant; and
3. Costs.

Dated this 22nd day of October, 1998.

Collins Broadhurst & Furniss  
Collins Broadhurst & Furniss  
Attorneys-at-Law for the Plaintiff

This Writ & Statement of Claim has been issued by **Collins Broadhurst & Furniss** whose address for service is 40 Linwood St., P.O. Box 2503, G.T. , Grand Cayman, Cayman Islands, B.W.I.



**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE  
OF WRIT OF SUMMONS**

1. The accompanying form of *Acknowledgement 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, G.T. Grand Cayman.
2. A Defendant who states in his Acknowledgement 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 not endorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the defence must be served within fourteen (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 endorsed on the Writ, the defence need not be served until fourteen (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 within 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 Acknowledgement of Service, that he intends to apply for a stay, execution will be stayed for fourteen 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 instalments or otherwise.

**Notes for Guidance**

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement 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 its 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 19            .

**Between:**

**ELBERT ALLEN**

**Plaintiff**

**-and-**

**JAMES CHRISTOPHER BUSH**

**1st Defendant**

**-and-**

**NASH JARRETT**

**2nd 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.*

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

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2. State whether the Defendant intends to contest the proceedings (*tick appropriate box*)  
Yes [ ]            No [ ]

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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 [ ]

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Service of the Writ is acknowledged accordingly

(signed) \_\_\_\_\_

[Attorney] for

[Defendant in Person]

Address for service:

*Please see over leaf.....*

**Notes on address for service**

Attorney: where 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 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.*

COLLINS BROADHURST & FURNISS

Attorneys-at-Law  
40 Linwood St.  
P.O. box 2503 G.T.  
Grand Cayman  
Cayman Islands, B.W.I.

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