

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE No. 198 of 1999

BETWEEN: QUARRY PRODUCTS LTD.

PLAINTIFF

AND: RAUL GONZALES, SR.

DEFENDANT



ENDORSED WRIT OF SUMMONS

TO: RAUL GONZALES, SR., P. O. Box 1649, 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 495 G. T., 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 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 19th day of March, 1999

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 Acknowledgment of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The Plaintiff claims from the Defendant the sum of CI\$22,997.95 owed to the Plaintiff by the Defendant for quarry materials supplied to the Defendant between August 25th, 1998 and December 12, 1998.
2. Numerous attempts have been made by the Plaintiff to recover the outstanding sum of CI\$22,997.95.
3. The outstanding invoice of CI\$22,997.95 for the said quarry materials ordered by the Defendant remains outstanding and unpaid.

AND THE PLAINTIFF CLAIMS:

1. The sum of CI\$22,997.95
2. Interest thereon at the prescribed rate per annum from date of Judgement.
3. Cost and Attorneys fees.

If within the time for returning the Acknowledgement of Service, the Defendant pays the total amount claimed of CI\$22,997.95 (including interest and costs) further proceedings will be stayed. The money must be paid to the Plaintiff or their Attorney.

Dated this 18th day of March, 1999


A. STEVE McFIELD & ASSOCIATES
Attorneys-at-Law

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 his said Attorneys, P. O. Box 680 #15 Mary Street, George Town, Grand Cayman, Cayman Islands, B. W. I.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE No. 198 OF 1999

BETWEEN: QUARRY PRODUCTS LTD.

PLAINTIFF

AND: RAUL GONZALEZ, SR.

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 ACKNOWLEDGMENT OF SERVICE OF ORIGINATING SUMMONS

The accompanying form of Acknowledgment 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, PO Box 495, George Town, Grand Cayman.

Notes for Guidance

1. The Defendants are required to complete an Acknowledgment 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 Acknowledgment 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 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.
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 Courts 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 + Assoc

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 Applicant, whose address for service is that of their said attorney, P. O. Box 680, Mary Street, George Town, Grand Cayman, Cayman Islands. B. W. I.