

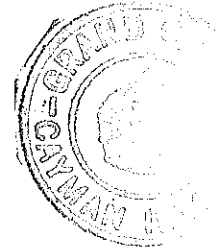
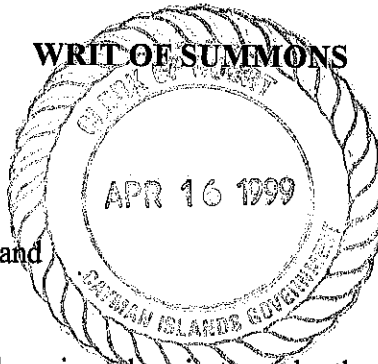
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 249 of 1999

BETWEEN: COX LUMBER CO. PLAINTIFF
AND: SANDRA ANN MILLER DEFENDANT

WRIT OF SUMMONS

TO: Sandra Ann Miller
P.O. Box 11170 APO
Grand Cayman, Cayman Island



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 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 14th day of April 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 order of the Court.

IMPORTANT

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

STATEMENT OF CLAIM

1. Pursuant to a Promissory note dated 27th October 1998, the Defendant agreed to repay to the Plaintiff the sum of CI\$12,270.49 plus interest at the rate of 10% per annum.
2. By a letter dated 1st March 1999 the Plaintiff made demand upon the Defendant to pay the amount due and owing under the Promissory Note.
3. Despite the aforesaid demand the Defendant has failed to pay the amount owed. The amount due under the Promissory Note is CI\$10,769.06.

AND THE PLAINTIFF CLAIMS: -

1. An Order for the sum of CI\$10,270.49.
2. Interest accrued to the 14th April 1999 of CI\$498.57 and continuing.
3. Interest accruing each day hereafter at the rate of CI\$2.81 per day until judgment or sooner payment.
4. Further and/or other relief.
5. Fixed costs of CI\$500.00 plus the prescribed filing fees of CI\$132.70.

Total amount as of 14th April 1999:

CI\$11,401.76

STATEMENT REGARDING INTEREST:

1. The rate of interest claimed is 10% per annum.
2. The date from which interest is calculated is 27th October 1998.
3. The total amount of interest claimed as at 14th April 1999 is CI\$498.57.
4. The amount of interest accruing each day thereafter is CI\$2.81.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of CI\$11,401.76 (including interest and fixed costs) further proceedings will be stayed. The money must be paid to the Plaintiff's Attorney.

Orren Merren & Company
ORREN MERREN & COMPANY
Attorneys-at-Law for the Plaintiff

This Writ was issued by Messrs. Orren Merren & Company, the attorneys-at-law for the Plaintiff, whose address for service is Kirk House, 3rd Floor, Albert Panton Street, George Town, P.O. Box 481G, Grand Cayman, Cayman Islands, British West Indies.

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 495G, 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

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.

Orren Merren & Company
Attorneys-at-Law
P.O. Box 481G
Kirk House Third Floor
Albert Panton Street
Grand Cayman, 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.