

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 298 OF 1999

BETWEEN: VAL WHITTAKER

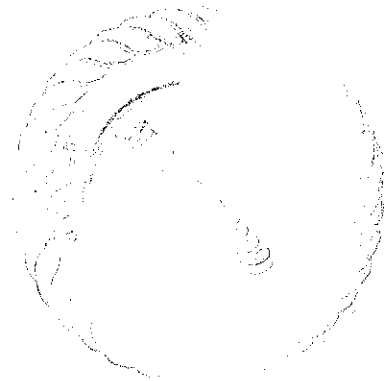
PLAINTIFF

AND: LLOYD BODDEN

DEFENDANT



WRIT OF SUMMONS



TO: LLOYD BODDEN  
c/o PUBLIC WORKS DEPARTMENT  
GEORGE TOWN,  
GRAND CAYMAN.

**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 of Summons on you, counting the day of service, you must either satisfy the claim or return to the Courts Office, P.O. Box 495, George Town, Grand Cayman, 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 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 judgment may be entered against you forthwith without further notice.

Issued this <sup>5<sup>th</sup></sup> day of May, 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.

**INDORSEMENT**

The Plaintiff's claim against the Defendants is for money lent to the Defendant in the sum of CI\$2,100 plus interest.

*Charles Adams, Ritchie & Duckworth*

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**CHARLES ADAMS, RITCHIE & DUCKWORTH  
ATTORNEYS-AT-LAW FOR THE PLAINTIFF**

This Writ was issued by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies.

**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 is suing in person) of his name, address and reference, if any, in the box below.

Charles Adams, Ritchie & Duckworth  
P.O. Box 709  
Zephyr House  
Mary Street  
George Town, Grand Cayman

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

[Empty box for Defendant's Attorney indorsement]

Filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of its said Attorneys-at-Law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I.

## Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment 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. 298 OF 1999**

**BETWEEN: VAL WHITTAKER PLAINTIFF**

**AND: LLOYD BODDEN DEFENDANT**

**STATEMENT OF CLAIM**

1. The Plaintiff resides in North Sound, Grand Cayman, Cayman Islands and is employed by Caribbean Utilities Co. Ltd.
2. The Defendant is a resident of the Cayman Islands and is employed by the Public Works Department.
3. The Plaintiff and the Defendant have known each other for a number of years and with the passage of time, the Plaintiff has developed a sense of trust in the Defendant.
4. On the 12<sup>th</sup> June, 1998 the Defendant approached the Plaintiff and requested a loan from the Plaintiff in the amount of CI\$2,100.00. The Plaintiff agreed to lend the Defendant this sum which the Defendant agreed to repay by the end of July, 1998 together with interest thereon calculated at the rate of 10%.
5. This agreement is evidenced by a hand written note dated the 12<sup>th</sup> June 1998 issued and signed by the Defendant to the Plaintiff. The Plaintiff will refer to this note at the trial for its full terms and legal effect.

6. Despite the numerous demands by the Plaintiff for repayment of the amount due, the Defendant has failed and/or refused to pay the balance due and/or any part thereof.

**AND THE PLAINTIFF CLAIMS:-**

1. The sum of CI\$2,100.00.
2. Pre-Judgment Interest thereon at the rate of 10% per annum.
3. Post-Judgment Interest thereafter pursuant to Section 34 of the Judicature Law (1995 Revision).

**STATEMENT REGARDING INTEREST:**

- (i) The rate of Pre-Judgment Interest is 10% per annum up to the 5<sup>th</sup> May 1999.
- (ii) The date from which interest is calculated is the 1<sup>st</sup> July, 1998.
- (iii) The interest accruing each day hereafter is CI\$0.58.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of CI\$2,100.00 (excluding fixed costs of CI\$250.00 and filing fees of CI\$115.00) further proceedings will be stayed. The money must be paid to the Plaintiff or his attorneys-at-law.

*Charles Adams, Ritchie & Duckworth*

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**CHARLES ADAMS, RITCHIE & DUCKWORTH  
ATTORNEYS-AT-LAW FOR THE PLAINTIFF**

This Statement of Claim was filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiffs herein whose address for service is P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies (Ref: 667/300).