

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

**CAUSE NO. 360 OF 1999**

**BETWEEN: NATIONAL CONCRETE LTD. PLAINTIFF**

**AND: JAMES EBANKS JR. DEFENDANT**



**WRIT OF SUMMONS**

To: **James Ebanks Jr.**  
**Savanah, Newlands**



**THIS WRIT OF SUMMONS** has been issued against you by the above-named Plaintiff in respect of a claim set out the next page.

**Within** fourteen (14) days after 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 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 judgement may be entered against you forthwith without further notice.

Issued the 6th 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 Acknowledgement of Service are given with the accompanying form.

**INDORSEMENT**

1. The Plaintiff's claim is for \$5,004.00 for ready mixed concrete sold and delivered to the defendant pursuant to an oral agreement made on or about the 30th September, 1997.

Dated this 6th day of May, 1999.

*NW* \_\_\_\_\_

Neville W. Levy & Associates

Filed by Neville W. Levy & Associates, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of the said Attorneys at the 2nd Floor, Suit One of the Nevlaw Building, Shedden Road, P.O.Box 2178, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
CAUSE NO. 200 OF 1997.

BETWEEN:           **NATIONAL CONCRETE LTD**            PLAINTIFF  
AND:               **JAMES EBANKS JR.**                DEFENDANT

**STATEMENT OF CLAIM**

1. The Plaintiff's claim is for the sum of \$5,004.00 being the balance of the price of ready mixed concrete sold and delivered to the defendant on the dates specified in the particulars hereof pursuant to an oral contract on or about the 30th September, 1997.

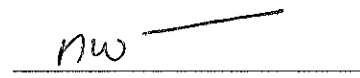
<u>PARTICULARS</u>				
<u>Date</u>	<u>Invoices</u>	<u>Amounts \$</u>	<u>Payments \$</u>	<u>Balance \$</u>
30/9/97	4197	7,938.00		
31/10/97			5,000.00	<u>2,938.00</u>
24/1/98	6428	15,950.00		
23/2/98			6,652.00	
13/3/98			2,298.00	
1/4/98			5,000.00	
			<u>13,950.00</u>	<u>2,000.00</u>
21/3/98	6824	4,845.38		
20/5/98			3,519.38	<u>1,326.00</u>
25/4/98	7071	931.50		931.50
6/6/98	7379	408.50		<u>408.50</u>
Total				7,604.00
15/9/98	Less credit of		2,600.00	
Balance				5,004.00

2. Further, the plaintiff claims interest pursuant to Section 34 of the Judicature Law on the said balances at the rate of 77/8% p.a. amounting to **\$597.59** at the date hereof from the dates set out in Paragraph 1 herein and continuing interest from the date of issue at a **daily rate of \$1.10**

AND the Plaintiff claims:

1. The sum of \$5,004.00 as set out in paragraph 1 herein; and
2. Interest at set out in paragraph 2 herein
3. Costs to be taxed or agreed.

Dated this 6th May, 1999.

  
Neville W. Levy & Associates

Filed by Neville W. Levy & Associates, Attorneys-at-law for and on behalf of the plaintiff herein whose address for service is that of the said Attorneys at Suite One, 2nd Floor, at the Nevlaw Building, Shedden Road, in George Town, Grand Cayman P.O.Box 2178.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 306 1999.

BETWEEN: NATIONAL CONCRETE LTD. PLAINTIFF

AND: JAMES EBANKS JR. 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 judgement being entered against a Defendants whereby they may have to pay the costs of applying to set it aside.

1. James Ebanks Jr.
2. State whether the Defendants intend to contest the proceedings. (tick "yes" or "no")
3. State whether the Defendants intend to apply for a stay of execution judgement entered by the Plaintiff. (tick "yes")

Service of the Writ is acknowledged accordingly

Signed:

\_\_\_\_\_  
Attorney for

\_\_\_\_\_  
First Defendant in person.

Address for service:

**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.

Neville W. Levy & Associates  
2nd Floor Nevlaw Building,  
George Town, P.O. Box 2178.

Indorsement by Defendants' Attorneys (or by defendant if suing in person) of his name, address and reference , if any, below.