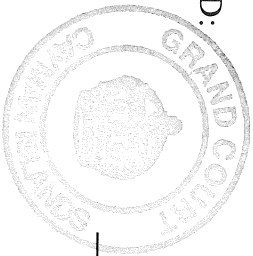


IN THE GRAND COURT OF THE CAYMAN ISLANDS

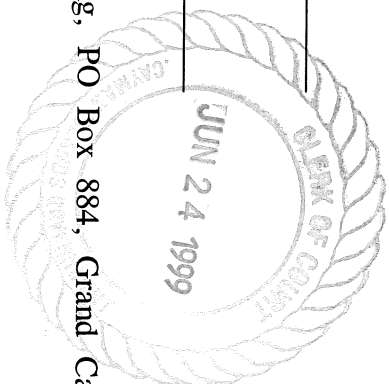
CAUSE NO: 399 OF 1999

BETWEEN: THE PROPRIETORS OF STRATA PLAN NO. 235  
(also known as THE SEA LODGES OF CAYMAN KAJ) PLAINTIFF

AND: SHELLING LTD DEFENDANT



WRIT OF SUMMONS



TO: SHELLING LTD, Bank of Nova Scotia Building, PO Box 884, Grand Cayman, Cayman Islands, British West Indies

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 495GT, 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 24<sup>th</sup> day of June 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. The Plaintiff is a Strata Corporation duly formed and existing under the laws of the Cayman Islands. It is also known as the Sea Lodges of Cayman Kai which is a condominium development of 16 individually owned units located at North Side, Grand Cayman (the "Sea Lodges").
2. The Sea Lodges condominium development is managed by the Executive Committee of the Strata Corporation on behalf of all of its owners. The Executive Committee is appointed by the owners from time to time in General Meetings of the Strata Corporation and is authorised to manage the development as it deems appropriate and to invoice the owners as appropriate in respect of the maintenance and upkeep of the condominium development.
3. The Defendant owns Unit no. 14 of the Sea Lodges which it purchased in August 1994.
4. By virtue of its ownership of a unit forming part of the Sea Lodges development, the Defendant has an obligation, as do all other owners of the development, to contribute towards the maintenance and upkeep of the development. In breach of that obligation and notwithstanding repeated demands for payment, the Defendant has failed to make any payments to the Plaintiff in respect of the strata fees and assessments duly billed to the Defendant by the Plaintiff over the period from March 1994 to date.

### PARTICULARS

The Defendant was duly billed and owes the following amounts to the Plaintiff:

- |   |              |
|---|--------------|
| 1. Past due quarterly maintenance fees for Sea Lodge #14<br>(CI\$6,396.00 + CI\$492.00) | CI\$6,888.00 |
| 2. Past due Insurance premium   | CI\$ 390.52  |

**Total amount due CI\$7,278.52**

AND THE PLAINTIFF claims:

1. That the Defendant pay to the Plaintiff the sum of CI\$ 7,278.52 in respect of unpaid and overdue strata fees and assessments in respect of Unit no. 14 of the Sea Lodges of Cayman Kai over the period from August 1994 to the date hereof.
2. That the Defendant pay to the Plaintiff statutory interest on all sums due and payable pursuant to Section 34 of the Judicature Law (1995 Revision);
3. That the Defendant pay the costs of this action; and

4. Any further or other orders or relief that the Court deems just.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of CI\$7,278.52 (excluding interest and costs) further proceedings will be stayed. The money must be paid to the Plaintiff or his Attorney.

Dated 24<sup>th</sup> June 1999

MAPLES AND CALDER

THIS WRIT was issued by Maples and Calder, Attorneys for the Plaintiff, whose address for service is Ugland House, P. O. Box 309, George Town, Grand Cayman