

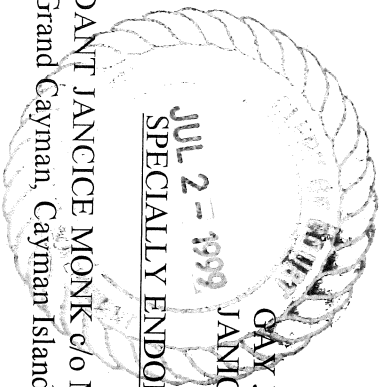
**Writ of Summons (O.6, r.1)**

IN THE GRAND COURT OF THE CAYMAN ISLAND  
HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO. *421* OF 1999



BETWEEN  
AND: **GAY JOY EBANKS** PLAINTIFF  
**JANICE MONK** DEFENDANT



TO: DEFENDANT JANICE MONK c/o Messrs. C. S. Gil & Co. Attorneys-At-Law, P.  
O. Box 945, 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 *2nd* day of July 1999.

NOTE - This Writ may not be served later than 4 calendar 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

On 4 June 1998 the Plaintiff was driving her Nissan Altima motor vehicle along Maclendon Drive, when the defendant, so negligently drove her motor vehicle, along Maclendon Drive that it collided with the Plaintiff's motor vehicle.

### PARTICULARS OF NEGLIGENCE

- (a) Driving at an excessive speed.
- (b) Driving onto the wrong side of the road and there colliding with the Plaintiff.
- (c) Failing to keep any or any proper lookout or to have any or any sufficient regard for any other traffic.
- (d) Failing to stop, to slow down, to swerve, or in any other way so to manage or control the motor vehicle so as to avoid the collision.

1. By reason of the matters aforesaid, the Plaintiff sustained personal injuries and has suffered loss and damage.

### PARTICULARS OF INJURIES

The Plaintiff's dated of birth is 30.5. 1969. Following the accident on 4 June 1998, the Plaintiff suffered a head injury, which caused her to lose consciousness. She was admitted to George Town Hospital the same day where she remained for 4 days. Since the accident the Plaintiff has suffered from regular headaches, which has made her irritable.

### PARTICULARS OF SPECIAL DAMAGE

Date	Description	Costs (CIS\$)
4 June 1998	Loss of Salary	336.00
6 June 1998	Towing truck	35.00

AND the Plaintiff claims

- (i) Damages
- (ii) Further, pursuant to The Judicature Law (1995 Revision), the Defendant is entitled to and claims interest on such sums as are found to be due at such rate and for such period as the Court shall think fit.

(iii) Costs



BROOKS & BROOKS

THIS WRIT was issued by Clyde H. Allen whose address for service is Brooks & Brooks, Attorneys-At-Law, PO Box 1355, Grand Cayman, Cayman Islands.

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CAUSE NO.            OF 1999

BETWEEN  
AND:

GAY JOY EBANKS  
JANICE MONK

PLAINTIFF  
DEFENDANT

ACKNOWLEDGMENT 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.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

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2. State whether the Defendant intends to contest the proceedings (*tick appropriate box*)

yes

no

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3. If the claim against the Defendant is for a debt or a liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (*tick box*)

yes

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Service of the Writ is acknowledged accordingly

(Signed) .....

[Attorney] for

Address for service: (please see overleaf)

*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.*

C. H. Allen  
Brooks & Brooks  
Attorneys-At-Law  
PO Box 1355 GT  
Grand Cayman  
Cayman Islands  
BWI

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