

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

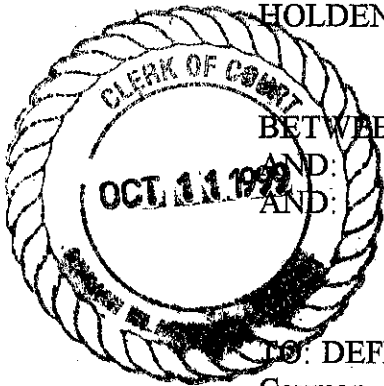
IN THE GRAND COURT OF THE CAYMAN ISLAND
HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO *619* OF 1999

BETWEEN
AND:
AND:

VICTORIA BANKS
ANGELA BRYAN
ERIC BRYAN

PLAINTIFF
1st DEFENDANT
2ND DEFENDANT



SPECIALY ENDORSED WRIT OF SUMMONS

TO: DEFENDANTS ANGELA BRYAN AND ERIC BRYAN at Watler's Road, 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 *11th* day of *Oct* 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.

1. On 1 October 1998, the second defendant, the servant or agent of the first defendant, so negligently drove a motor vehicle, registration number 71123, owned by the first defendant, along Watlers Road, 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 the Plaintiff motor vehicle.
 - (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.
2. Vampt motors repaired the Plaintiff's motor vehicle. The cost of the repairs was eventually paid by 1st Defendant's insurers. During the period that the motor vehicle was being repaired the Plaintiff rented another motor vehicle.
 3. By reason of the matters aforesaid, the Plaintiff sustained loss and expenses.

PARTICULARS OF SPECIAL DAMAGE

Date	Description	Costs (CIS)
16/11 /12/98	Cost of Hire	2118.75
31/12/98 to 10/02/99	Cost of Hire	1983.75
		<u>Total costs 4102.45</u>

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.


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, British West Indies

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

CAUSE NO. OF 1999

BETWEEN	VICTORIA BANKS	PLAINTIFF
AND:	ANGELA BRYAN	1 st DEFENDANT
AND:	ERIC BRYAN	2 ND 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.

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

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

yes no

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

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 BSc
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.

[Empty box for defendant's attorney indorsement]