

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 21 OF 1996

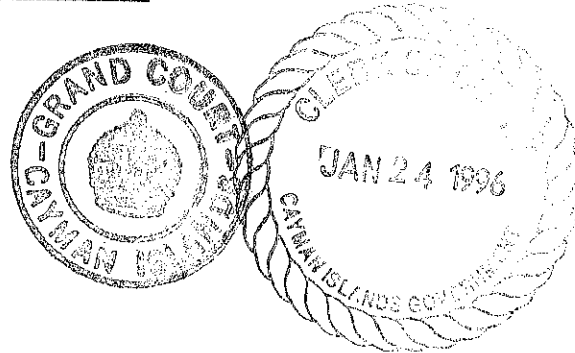
**BETWEEN:** (1) CAYMAN IMPORTS LTD. First Plaintiff  
(2) CAYMAN FOOD SERVICES LTD. Second Plaintiff

**AND:** (1) MR. TRACY HUNTER First Defendant  
(2) HUNTER ENTERPRISES LTD. Second Defendant

WRIT OF SUMMONS

**TO:** (1) Mr. Tracy Hunter  
P.O. Box 10  
Stake Bay  
Cayman Brac B.W.I.

(2) Hunter Enterprises Ltd.  
P.O. Box 10  
Stake Bay  
Cayman Brac B.W.I.



THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs 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 495, George Town, Grand Cayman B.W.I., 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 Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 24 day of Jan, 1996.

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.



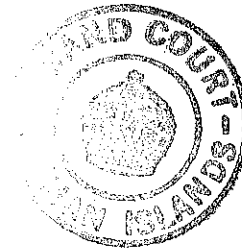
**INDORSEMENT**

The Plaintiffs' claim against the Defendants is the total amount of CI\$70,306.16 being:-

- (a) the value of goods sold by the First Plaintiff in the amount of CI\$44,616.10 to the First Defendant between June, 1993, and December, 1995, which goods were delivered to the Second Defendant in accordance with the First Defendant's instructions; plus
- (b) the value of goods sold by the Second Plaintiff in the amount of CI\$25,690.06 to the First Defendant between September, 1992, and December, 1995, which goods were delivered to the Second Defendant in accordance with the First Defendant's instructions.

**AND THE FIRST PLAINTIFF CLAIMS:-**

1. an Order that the Defendants jointly and severally pay to the First Plaintiff:-
  - (1) the abovementioned sum of CI\$44,616.10; and
  - (2) interest on the abovementioned sum of CI\$44,616.10 at the statutory rate of 8 3/8% from the date of judgment.
2. further and other relief.
3. costs to be agreed and/or taxed.



**AND THE SECOND PLAINTIFF CLAIMS:-**

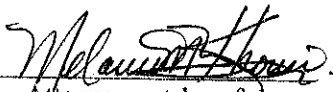
1. an Order that the Defendants jointly and severally pay to the Second Plaintiff:-
  - (1) the abovementioned sum of CI\$25,690.06; and
  - (2) interest on the abovementioned sum of CI\$25,690.06 at the statutory rate of 8 3/8% from the date of judgment.
2. further and other relief.

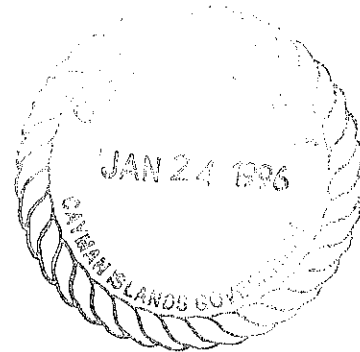
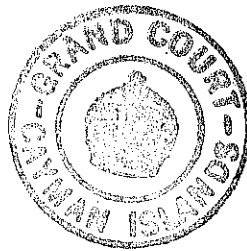


3. costs to be agreed and/or taxed.

If within the time for returning Acknowledgment of Service the First Defendant pays the amount claimed of CI\$44,616.10 (including costs in the amount of CI\$656.53) and the Second Defendant pays the amount claimed of CI\$25,690.06 (including costs of CI\$656.53) being a total of CI\$70,306.16 (including costs in the total amount of CI\$1,303.06) further proceedings will be stayed. The money must be paid to the Plaintiffs or their Attorneys-at-law.

MYERS & ALBERGA

Per:   
Attorneys-at-law for  
the Plaintiffs



THIS WRIT was issued by Myers & Alberga, Attorneys-at-Law for and on behalf of the Plaintiffs whose address for services is One Regis Place, Fort and Mary Streets, P.O. Box 472, George Town, Grand Cayman B.W.I.



DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE  
OF WRIT OF SUMMONS

1. The accompanying form of *Acknowledgment of Service* should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person.

After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

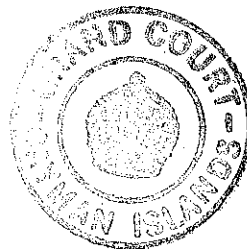
If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

*See over for notes for guidance*

*Please complete overleaf*



## 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. 21 OF 1996

BETWEEN: (1) CAYMAN IMPORTS LTD.  
(2) CAYMAN FOOD SERVICES LTD.

First Plaintiff  
Second Plaintiff

AND: (1) MR. TRACY HUNTER  
(2) HUNTER ENTERPRISES LTD.

First Defendant  
Second 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 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

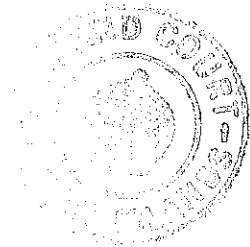
(Signed).....

[Attorney] for

[First Defendant in person]

[Second Defendant in person]

Address for service:



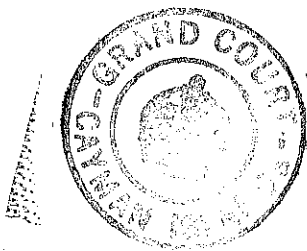
Please complete overleaf

**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.*



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