

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 55 OF 1996

BETWEEN ALLISON CONNOR PLAINTIFF

AND G.W. HOLDINGS LTD. DEFENDANT

SPECIALLY ENDORSED WRIT OF SUMMONS

TO: G.W. Holdings Ltd.
P.O. bOx 509
George Town
Grand Cayman, BWI



THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim endorsed hereon,

Within fourteen (14) days after the service of this Writ including the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495, 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 of Service 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 7th day of Feb 1996.

NOTE: This Writ may not be served later than four (4) calendar months [or if leave is required to effect service out of the jurisdiction, six (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.

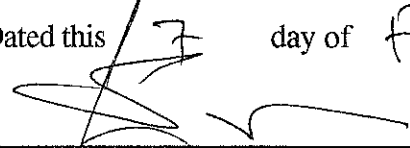
STATEMENT OF CLAIM

1. The Plaintiff is a resident of the Cayman Islands who at all material times contracted in good faith with the Defendant.
2. The Defendant is a company incorporated pursuant to the laws of the Cayman Islands with its registered office situated in George Town, Grand Cayman and at all material times represented itself to the Plaintiff as being engaged in the business as a contractor of construction services.
3. By a contract made between the Plaintiff and the Defendant contained partly in written agreement dated the 5th day of July 1995 and partly orally it was agreed that the Defendant would construct a residential home for the Plaintiff to be completed three months after the date of the said agreement on property being Registration Section Prospect Block 22D Parcel 155.
4. Pursuant to the said agreement the Plaintiff paid to the Defendant a cash deposit of CI\$7,000.00 on or about the 1st day of February 1995.
5. In breach of the said contract the Defendant has failed to commence the building of the said residence and the Plaintiff has elected to treat the said breach as a repudiation of the contract by the Defendant and has informed the Defendant of this fact personally as well as formally through a letter dated 13 December 1995 from her Attorneys-at -Law.
6. As a consequence of the said breach the Plaintiff has on numerous occasions requested of the Defendant that they return the deposit paid by her as aforementioned given the Defendants total failure of consideration in respect of the said contract. Despite numerous promises by the Defendant that the deposit would be repaid to her the Plaintiff has yet to receive the same.
7. The Plaintiff has thereby suffered loss and damage.
Particulars of Loss: (a) Non refund of Deposit CI\$7,000.00
(b) Interest thereon at the Statutory Rate

AND THE PLAINTIFF CLAIMS:

- i. The sum of CI\$7,000.00
- ii. Interest thereon at the Statutory Rate
- iii. Costs
- iv. Attorneys fees

Dated this 7 day of February 1996.


L.A. Samson & Co.

STATEMENT AS TO INTEREST:

- i. The prescribed rate is 8 3/8%
- ii. The date from which the interest is calculated is the 5th day of October 1995

THIS SPECIALLY ENDORSED WRIT is issued by L.A. Samson & Co., Attorneys-at-Law for and on behalf of the Plaintiff whose address for service is Suite D1, Cayman Business Park, Thomas Russell Way, George Town, Grand Cayman, British West Indies.

DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE OF WRIT OF SUMMONS

1. The accompanying form of Acknowledgement 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 495, George Town, Grand Cayman, BWI.

2. A Defendant who states in his Acknowledgement 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 not endorsed on the Writ [i.e the words "Statement of Claim" appear on the top of page 2], the defence must be served within fourteen (14) days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgement is served on the Defendant.

If the Statement of Claim is endorsed on the Writ, the defence need not be served until fourteen (14) days after a Statement of Claim has been served on the Defendant.

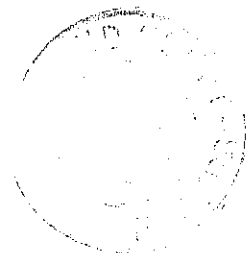
If the Defendant fails to serve his defence within the appropriate time, the Plaintiff, may enter judgment against him within further notice.

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 judgement 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 Acknowledgement of Service, that he intends to apply for a stay, execution will be stayed for fourteen 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 installments or otherwise.

P.T.O

Notes for Guidance:

1. Each Defendant [if there are more than one] is required to complete an Acknowledgement 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 authorized 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.



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CAUSE NO. 55 OF 1996

BETWEEN ALLISON CONNOR PLAINTIFF

AND G.W. HOLDINGS LTD. 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 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 the 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 judgement entered by the Plaintiff [tick box]

Yes

Service of the Writ is acknowledged accordingly

[Signed] _____

[Attorney] _____

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 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.

Endorsement by Plaintiff's Attorney [or by Plaintiff if suing in person] of his name, address and reference, if any, in the box below

L. A. SAMSON & CO.
P.O. BOX 35 GT
SUITE D 1
CAYMAN BUSINESS PARK
THOMAS RUSSELL WAY
GRAND CAYMAN, B.W.I.

Endorsement 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 endorsement]

