

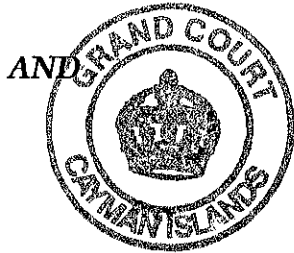
IN THE GRAND COURT OF THE CAYMAN ISLANDS

365
CAUSE NO. OF 2000

BETWEEN

- (1) RABE WELCOME
- (2) GAY WELCOME

PLAINTIFFS



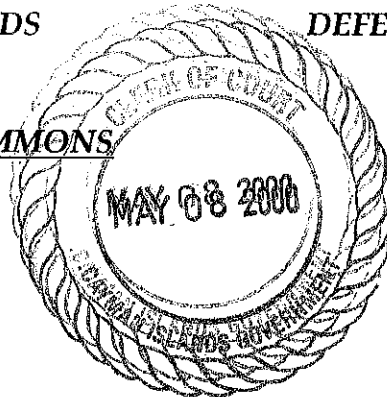
AND

- (1) LUVIS WOODS
- (2) AMALIA WOODS

DEFENDANTS

WRIT OF SUMMONS

TO: *Louis & Amalia Woods*
Washington Road,
George Town,
Grand Cayman



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 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 Acknowledgement of Service, stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings the Plaintiff may proceed with the action and judgement may be entered against you forthwith without further notice.

Issued this ^{2nd} day of May 2000.

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

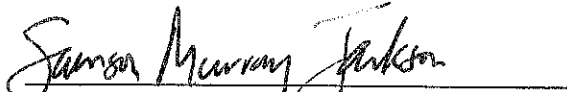
Directions for Acknowledgement of Service are given with the accompanying form.

INDORSEMENT

The Plaintiff's claim is for :

1. A Declaration that the Defendants are not entitled to enter or trespass upon the Plaintiffs' land situate at Registration Section George Town Central, Block 13D, Parcel 190.
2. An injunction to restrain the Defendants whether by themselves, their servants or agents or otherwise howsoever from entering or trespassing upon the Plaintiffs' land as specified in the Statement of Claim.
3. Damages for trespass to the Plaintiffs' land.
4. An Order requiring the Defendants forthwith to pull down, demolish and remove so much of the Defendants' building which is encroaching upon the Plaintiffs' land situate at Registration Section George Town Central, Block 13D, Parcel 190 or alternatively an Order permitting the Plaintiffs to pull down, demolish and remove the said building insofar as it encroaches upon the Plaintiffs' land at the expense of the Defendants.
5. A declaration that the Defendants and any other inhabitants of the Defendants' said building are not entitled to remain in possession of the said building insofar as it encroaches upon the Plaintiffs' land.
6. Further and such other relief.
7. Interest
8. Costs.

Dated this 2nd day of May 2000.



Samson Murray Jackson
Attorneys-at-Law for the Plaintiff

THIS WRIT OF SUMMONS was issued by Samson Murray Jackson, Attorneys-at-Law, for and on behalf of the Plaintiff, whose address for service is that of his said Attorneys-at-Law, The Ground Floor (West Wing) Sigma Building, Smith/Hospital Roads, George Town, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

365
CAUSE NO. OF 2000

BETWEEN (1) **RABE WELCOME**
(2) **GAY WELCOME** **PLAINTIFFS**

AND (1) **LUVIS WOODS**
(2) **AMALIA WOODS** **DEFENDANTS**

STATEMENT OF CLAIM

1. The Plaintiffs are and were at all material times the registered proprietors in possession of all that land situate at and known and registered as Registration Section George Town Central, Block 13D, Parcel 190.
2. In or about mid-1995 the Defendants wrongfully entered and trespassed upon the said land and wrongfully and unlawfully and without permission from the Plaintiffs or the Central Planning Authority of the Cayman Islands constructed an extension to an existing building situated on the land adjoining the Plaintiffs' land which extension encroaches upon the Plaintiffs' land.
3. The Plaintiffs have made numerous demands in writing through their attorneys for the Defendants to remove the said encroachment and the Defendants have failed to date to remove the said part of the building which encroaches upon the Plaintiffs' land and the Defendants threaten and intend to remain in wrongful occupation of the Plaintiffs' land and to trespass thereon.

AND THE PLAINTIFF CLAIMS:

1. A declaration that the Defendants (by themselves or their servants or agents or otherwise howsoever) to enter or trespass upon the Plaintiffs' land.
2. An Order requiring the Defendants to pull down, demolish and remove forthwith so much of the Defendants' building which encroaches upon the Plaintiffs' land or alternatively an Order permitting the Plaintiffs to pull down, demolish and remove so much of the Defendants' building as encroaches upon the Plaintiffs' land known as Registration Section George Town Central, Block 13D, Parcel 190.

3. A declaration that the Defendants and any other inhabitants of the Defendants' building are not entitled to remain in possession of the said building in so far as it encroaches upon the Plaintiffs' land.
4. An injunction to restrain the Defendant (by themselves or their servants or agents or otherwise howsoever) from remaining on or continuing in occupation of the building in so far as it encroaches upon the Plaintiffs' land.
5. Damages.
6. Costs.

Dated this 2nd day of May 2000



Samson Murray Jackson
Attorneys-at-Law for the Plaintiffs

THIS STATEMENT OF CLAIM was issued by Samson Murray Jackson, Attorneys-at-Law, for and on behalf of the Plaintiffs herein, whose address for service is that of his said Attorneys-at-Law, Ground Floor (West Wing), Sigma Building, Smith/Hospital Roads, George Town Grand Cayman.

BETWEEN (1) RABE WELCOME
(2) GAY WELCOME

PLAINTIFFS

AND (1) LUVIS WOODS
(2) AMALLA WOODS

DEFENDANTS

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 name of the Defendant by whom or on whose behalf the service of this 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] for
[Defendant in person]

DIRECTIONS FOR ACKNOWLEDGMENT 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 495G, George Town, Grand Cayman.

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 endorsed 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 judgement is served on the Defendant.

If the defendant fails to serve his defence within 9the appropriate time, the Plaintiff may enter judgement 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 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 14 days after his Acknowledgement, 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 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 a ()” 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.