

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 420 OF 2000

BETWEEN:

TAMMY GREESON

PLAINTIFF

AND

ANTHONY TOMLINSON

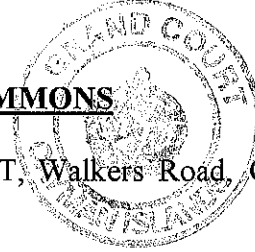
FIRST
DEFENDANT

JUNIOR BROOKS

SECOND
DEFENDANT



WRIT OF SUMMONS



TO: Anthony Tomlinson of PO Box 273 GT, Walkers 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, PO Box 495 GT, 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 to 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 19 day of May 2000

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 Acknowledgement of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. On the 17th day of August 1999 the Plaintiff was driving her Toyota Corolla motor car registration number 67226 along Smith Road and was at the relevant time stationary preparing to make a right turn into Pasadora Place, when it became involved in a collision with a Ford F250 truck registration number 77488, owned by the First Defendant and being driven by his servant or agent, the Second Defendant who was driving the vehicle on Smith Road in the direction of Crewe Road.
2. The said collision was caused by the negligence of the Second Defendant, as servant or agent of the First Defendant.

Particulars of Negligence

- (i) Driving on Smith Road at excessive speeds, when it was unsafe to do so and/or without regard for other traffic on that major road;
- (ii) Failing to keep any or any proper look out and/or to observe or heed the presence or approach of the Plaintiff; failing to apply his brakes in time or at all and/or to still control the said lorry as to avoid the said collision.
- (iii) By reason of the Defendants said negligence the Plaintiff has sustained personal injuries and has suffered loss and damage.

Particulars of Injuries

The Plaintiff suffered a cerebral concussion and a skull fracture with symptoms including: vertigo, headache, nausea and post-traumatic depression/anxiety.

Particulars of Special Damage

(a) Loss of income period – 18 th August 1999 to 11 th October 1999	CIS 2,145.00
(b) Uninsured losses relating to medical cover	1,350.00
(c) Loss of husband's income whilst forced to take time off work for the purposes of childcare	<u>2,096.66</u>
Total of Special Damages:	CIS\$5,591.66

4. Further, pursuant to the Judicature Law the Plaintiff is entitled to and claims to recover interest on the amount found to be due at such rate and such period as the Court shall think fit.

And the Plaintiff claims:

1. General Damages
2. Special Damages as aforesaid
3. Interest as aforesaid
4. Costs

DATED this 19th day of MAY 2000


RITCH & CONOLLY
Attorneys at Law for the Plaintiff

To: The Clerk of the Court.
AND TO: The Defendants

Filed by Messrs. Ritch & Conolly, Attorneys-at-Law for an on behalf of the Plaintiff herein whose address for service is that of her said Attorneys at Law of PO Box 1994 GT, Fourth Floor, Queensgate House, 113 South Church Street, George Town, Grand Cayman, B.W.I.

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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 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]

Address for service:

Please complete overleaf