

**IN THE GRAND COURT OF THE CAYMAN ISLANDS**

**CAUSE NO. 457 OF 2000**

**BETWEEN: A. L. THOMPSON BUILDING SUPPLIES LTD.                      Plaintiff**

**AND:                      FRANK CORNWALL Jr.                                      Defendant**

**WRIT OF SUMMONS**

**To:     Frank Cornwall Jr.  
         George Town**

**THIS WRIT OF SUMMONS** has been issued against you by the above-named Plaintiff in respect of a claim set out the next page.

**Within** fourteen (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.

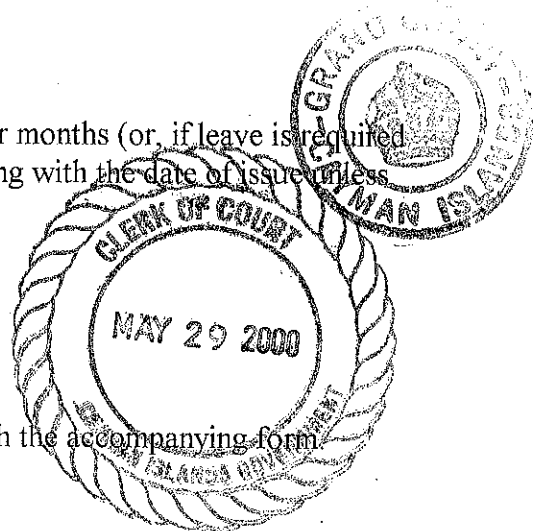
If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgement may be entered against you forthwith without further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

Issued the 29th 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.



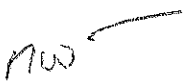
**STATEMENT OF CLAIM**

1. The plaintiff is a local Company involved in the business of supplying building materials and fixtures.
2. The defendant is a builder by profession.
3. On the 5th February, 1997, the defendant opened an account with the plaintiff on which he obtained building materials and fixtures on credit for which a monthly statement would be sent for payment. On the said date the defendant agreed to pay 1.5% per month (18% p.a.) on all outstanding balances.
4. Since 19th March, 1997 the defendant obtained material and fixtures for which monthly statements have been sent, the last being on the 17th April, 2000 at which time his account stood at \$8,197.03 and despite verbal and written demands, the defendant has failed to pay
5. And, as of the date of the issuance of this writ, the defendant owes to the plaintiff the sum of CI\$8,197.03
6. In addition to the sum due as set out above, the plaintiff is entitled to interest from the 17th April, 2000 at the rate of interest of 18% per annum, the agreed rate. Interest of \$169.77 is also due as of the date of the issuance of this proceeding. The particulars of interest are as set out in the schedule attached to the Statement of Claim.

**AND the plaintiff claims:**

1. Invoiced amount due on the 17th April, 2000            = \$8,197.03
2. Interest from the 30th May, 2000 at 18% per annum
3. Costs as taxed or agreed.

Dated this 29th May, 2000.

  
\_\_\_\_\_  
Neville W. Levy & Associates

**INDORSEMENT**

The amount claimed in respect of the debt is \$8,197.03 as invoiced and CI\$169.77 as interest until the issue of the writ of summons for a total amount of **CI\$8,366.80** The amount of the fixed costs is **\$500.00** and the costs of issuing the writ of summons is **\$150.00**. If, within the time for returning the acknowledgement of service, the defendant **pays the plaintiff's attorneys-at-law** the total amount claimed, \$8,366.80, the fixed costs and the costs of issuing of the writ of summons, further proceedings will be stayed. The money must be paid to the plaintiff's attorneys-at-law at the NevLaw Building, 180 Shedden Road.

Filed by Neville W. Levy & Associates, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of the said Attorneys at the NevLaw Building, Shedden Road, P.O.Box 2178, Grand Cayman.

#### **Schedule of Interest Calculated**

1. Interest on \$8,197. from 17/4/200 to 29/5/00 =  $\$9,321.17 \times .18 \times 42/365$  = \$169.77
2. The amount of interest accruing each day following the issue of this writ is \$4.04

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AND:                      FRANK CORNWALL Jr.                                      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.        1.        Frank Cornwall Jr.
2.        State whether the Defendant intends to contest the proceedings. (tick "yes" or "no")
3.        State whether the Defendant intends to apply for a stay of execution judgement entered by the Plaintiff. (tick "yes")

Service of the Writ is acknowledged accordingly

Signed:

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
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 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.

Neville W. Levy & Associates  
NevLaw Building,  
Shedden Road George Town.  
P.O. Box 2178.

Indorsement by Defendant's Attorneys (or by defendants if suing in person) of his name, address and reference , if any, below.