

IN THE GRAND COURT OF THE CAYMAN ISLANDS

✓
CAUSE NO: ⁵⁰⁴ OF 2000

BETWEEN:

GOLFCO LTD.

PLAINTIFF

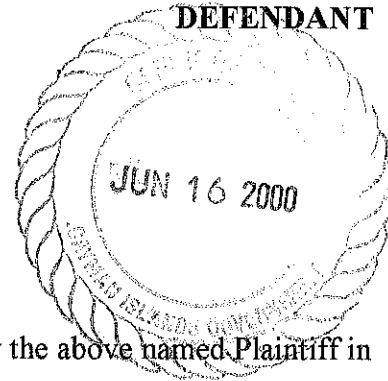
AND:

PATRICIA WRIGHT

DEFENDANT

WRIT OF SUMMONS

TO: Patricia Wright
Unit 2C Sunshine Apartments
George Town, Grand Cayman

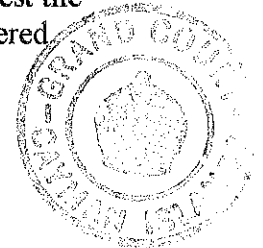


THIS WRIT OF SUMMONS has been issued against you by the above named Plaintiff in respect of the claim set out on the next page.

Within 14 days after 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 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 Acknowledgment 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 16th day of June, 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 Acknowledgment of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The Plaintiff is a corporation registered pursuant to the laws of the Cayman Islands and is the registered proprietor of lands and premises described municipally as the Sunshine Apartments and is registered as George Town East, Block 20D Parcels 160 and 161.
2. The Defendant is an individual residing in unit 2 C of the said Sunshine Apartments (hereinafter referred to as the "premises").
3. A lease respecting the subject premises was entered into on August 18, 1995 between Cayman Islands Reality Property Management Ltd, as agent for the landlord, Golfco. Ltd., and Patricia Wright, as tenant. Such lease contained the following terms, inter alia:
 - a. That Wright pay rent in the monthly sum of \$850.00;
 - b. That the term of tenancy be from August 18, 1995 to August 31, 1996.
4. No further lease was entered into for a period following August 31, 1996, and accordingly the tenancy became a monthly periodic tenancy as prescribed by the Registered Land Law (1995 Revision).
5. On August 7th, 1998 a notice of rent increase was served on the Defendant increasing the monthly rent from CI\$850.00 to CI\$1000.00. During the period from October through December 1999 the Plaintiff accepted the sum of CI\$850.00 from the Social Services Department of the Cayman Islands Government. The Plaintiff only agreed to accept this sum as rent for the period that Social Services was making payment which period ended December 31, 1999.
6. From January 1, 2000 through to the date of the issuance of this proceeding, the Defendant has not made any rent payments.
7. On May 9th, 2000 a Notice of Forfeiture was served on the Defendant giving notice that the tenancy was terminated failing the payment of all arrears by May 12th, 2000.
8. The Defendant has failed to pay any of the arrears required by the said Notice and has failed to deliver up possession of the premises. Further, the Defendant has failed to pay due rent following service of the said Notice.
9. As of the date of the issuance of this claim, the Defendant owes \$1000.00 monthly rent for each month of 2000 for a total of CI\$6000.
10. As a result of the aforesaid, the Plaintiff is entitled to relief as claimed herein.

AND THE PLAINTIFF claims:

1. \$6000.00 for rental arrears;
2. Mesne Profits;
3. A declaration that the said tenancy is forfeited;
4. Possession;
5. Interest on the said arrears pursuant to the Judicature Law (1995 Revision)
6. Costs:

Dated: June 15, 2000



BROADHURST DaCOSTA
Attorneys-at-Law for the Plaintiff

TO: The Clerk of the Court

AND TO: Patricia Wright

This Writ of Summons was issued by Broadhurst DaCosta whose address for service is Broadhurst DaCosta, Attorney-at-Law, 40 Linwood Street, P.O. Box 2503, George Town, Grand Cayman, Cayman Islands, British West Indies, Attorneys for the Plaintiff.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: ⁵⁰⁴ OF 2000

BETWEEN:

GOLFCO LTD.

PLAINTIFF

AND:

PATRICIA WRIGHT

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 or otherwise participate in 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.

Yes

Service of the Originating Summons is acknowledged accordingly

(Signed) _____

[Attorney] for

[Defendant in Person]

Address for Service:

Notes on address for service

Attorney: when 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 Island, 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 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:

Broadhurst DaCosta
Attorneys-at-Law
40 Linwood Street
P.O. Box 2503 GT
Grand Cayman, Cayman Islands

Indorsement 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 indorsement]

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. 495GT, 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 Acknowledgement 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 installments or otherwise.

See next page for notes for guidance.

Please complete next page

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. If you wish to defend claims made in the originating summons, or intend to attend the proceedings and to participate in them so far as necessarily (although not necessarily in an adversarial manner) you should tick the "Yes " box in paragraph 2 of the acknowledgment of service.
3. 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.
4. Where the Defendant is used 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 Originating Summons)".
5. 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.
6. 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.
7. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorized to act on behalf for the Company, but the Company cannot take no further step in the proceedings without an Attorney acting on its behalf.
8. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office