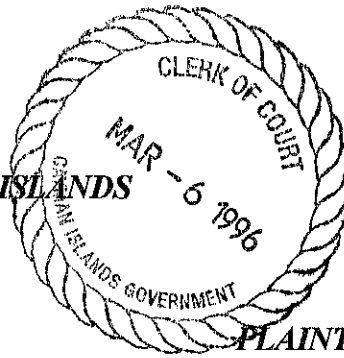


IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO: 119
OF 1996

BETWEEN: FRANKLIN R. SMITH **PLAINTIFF**

AND: FRANKLIN ALLEN BLAIR SMITH Jr. **DEFENDANT**

WRIT OF SUMMONS

TO: Franklin Allen Blair Smith Jr.
c/o Frankie's Fresh Fruit & Juices #2
opp. Aall Trust Bldg.
North Church Street, 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 Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or return the Acknowledgment 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 6th day of March 1996

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

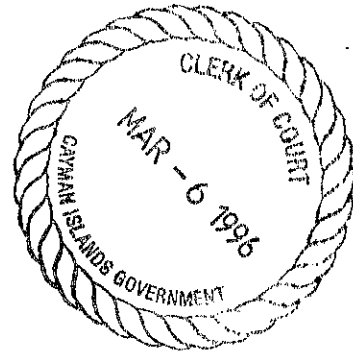
The Plaintiff's claim is to recover damages, for assault and battery for that on or about the 27th day of February 1996 the defendant wrongfully assaulted and beat the Plaintiff at the Plaintiff's place of business, as well as to seek an injunction to restrain the defendant whether by himself his servants agents or otherwise from coming unto premises operated by the Plaintiff and/or premises owned or operated by the Plaintiff and not come within 100 feet of the Plaintiff or members of his family.

AND THE PLAINTIFF claims:

1. Damages for assault and battery.
2. An injunction against the Defendant
3. Costs.

Dated this 6th day of March 1996.

L.A. Samson & Co.
Signature of Plaintiff or his Attorney



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

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 119 OF 1994

BETWEEN: FRANKLIN R SMITH PLAINTIFF
AND: FRANKLIN ALLEN BLAIR SMITH 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 have to 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 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 judgment 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

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.

Indorsement by Plaintiff's Attorney (or by plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Indorsement by defendant's Attorney (or by defendant if suing in person) of his name, address and reference, if any, in the box below.

5. On or about the said 27th day of February 1996 the Defendant by words and gesture indicated to the Plaintiff that he would not be afraid to kill or cause further harm to the Plaintiff and his family. The Plaintiff believes that the Defendant intends, unless restrained by this Honourable Court, to carry out the wrongful acts above complained of .

And the Plaintiff claims:

- (a) Damages for the Assault and Battery complained of herein;
- (b) An injunction to restrain the Defendant, his servants, agents or otherwise howsoever from entering unto any private property operated and or owned by the Plaintiff and to restrain him from approaching within 100ft. of the Plaintiff and/or members of his family as they go about their lawful business;
- (c) Such further remedial order as this Honourable Court shall think fit;
- (d) Costs.

Dated this *6th* day of *March* 1996.

L.A. Samson & Co.

L.A. Samson & Co.
Plaintiff's Attorneys-at-Law

This Statement of Claim is filed by L.A. Samson & Co., Attorneys-at-Law, for and on behalf of the Plaintiff whose address for service is that of his said Attorneys-at-Law, Suite D1 Cayman Business Park, Thomas Russell Way, George Town, Grand Cayman.