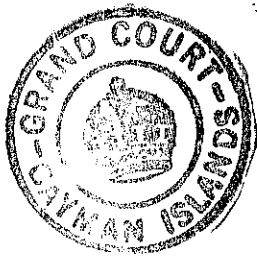


IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 769 OF 2000

BETWEEN: CHARLES ADAMS RITCHIE &  
DUCKWORTH  
(A Firm) PLAINTIFF

AND: (1) DENZIL CLARKE  
(2) SANDRA CLARKE DEFENDANTS



WRIT OF SUMMONS



TO: Mr. and Mrs. Denzil Clarke  
P.O. Box 130 GT  
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 of Summons on you, counting the day of service, you must either satisfy the claim or return to the Courts Office, P.O. Box 495, 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 judgment may be entered against you forthwith without further notice.

Issued this 5th day of October, 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.

**INDORSEMENT**

The Plaintiff's claim is against the 2nd Defendant alone in the sum of CI\$2,318.10 and against the 1st and 2nd Defendants and each of them jointly and severally in the sum of CI\$1,938.10, being the balance due for professional services rendered and disbursements incurred by the Plaintiff as the Defendants' Attorneys-at-Law for and on behalf and at the request of the Defendants and each of them during the course of their retainer.

  
**CHARLES ADAMS, RITCHIE & DUCKWORTH**  
**ATTORNEYS-AT-LAW FOR THE PLAINTIFF**

This Writ was issued by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 769 OF 2000

BETWEEN: CHARLES ADAMS RITCHIE &  
DUCKWORTH  
(A Firm) PLAINTIFF

AND: (1) DENZIL CLARKE  
(2) SANDRA CLARKE DEFENDANTS

**ACKNOWLEDGMENT OF SERVICE  
OF WRIT OF SUMMONS**

Important. Read the accompanying direction 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 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 (tick box).

Yes

Service of the Writ is acknowledged accordingly

(Signed) .....  
[Attorney] for  
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.

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

|   |
|---|
| Charles Adams, Ritchie & Duckworth<br>PO Box 709<br>Mary Street, Zephyr House<br>George Town,<br>Grand Cayman |
|---|

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

|  |
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**Filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of its said Attorneys-at-Law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I.**

## 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. 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 (.....)" 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.



6. In pursuance of the further instructions received from the Defendants the Plaintiff performed professional services and incurred disbursements for and on behalf of the Defendants. Full particulars of these professional services and disbursements are set out in Fee Notes Nos. 6010, 6156, 6271, and 6350 which were delivered to the Defendants on or shortly following the respective dates of their issue and subsequently by letters of demand for payment dated the 24<sup>th</sup> July, 1999, which was sent to the 1<sup>st</sup> and 2<sup>nd</sup> Defendants at their postal address. Details of the relevant fee notes are set out hereunder:

| <b>FEE NOTE NO.</b>               | <b>DATE ISSUED</b>     | <b>AMOUNT OF FEE NOTE</b>  |
|-----------------------------------|------------------------|----------------------------|
| <b>6010</b>                       | <b>2 February 1998</b> | <b>CI\$1,581.00</b>        |
| <b>6156</b>                       | <b>31 March 1998</b>   | <b>CI\$1,302.00</b>        |
| <b>6271</b>                       | <b>14 May 1998</b>     | <b>CI\$1,504.00</b>        |
| <b>6350</b>                       | <b>30 June 1998</b>    | <b>CI\$1,232.50</b>        |
| <b>Unbilled<br/>disbursements</b> | <b>24 July 1999</b>    | <b>CI\$136.70</b>          |
|                                   |                        | <b><u>CI\$5,756.20</u></b> |

7. On the 4<sup>th</sup> February 1998, 28<sup>th</sup> April 1998, and 22<sup>nd</sup> May 1998 the Defendants made payments to the Plaintiff in the total sum of CI\$1,500.00 by way of part-payment of the fee notes. These sums have been applied towards the Fee Notes set out above, leaving a balance thereon of CI\$4,256.20.
8. Despite the reminders and demands by the Plaintiff, the balance of CI\$4,256.20 remains due and outstanding to the Plaintiff.
9. The 2<sup>nd</sup> Defendant is liable to the Plaintiff for the sum of CI\$2,318.10. The 1<sup>st</sup> and 2<sup>nd</sup> Defendants and each of them are jointly and severally liable to the Plaintiff in the sum of CI\$1,938.10.

10. The Plaintiff claims interest on the sums due pursuant to Section 34 of the Judicature Law and the Judgment Debts Rates of Interest Rules.

**AND THE PLAINTIFF CLAIMS:**

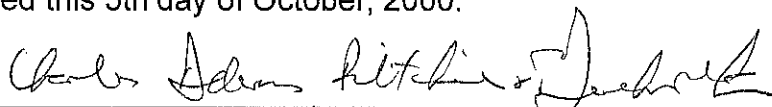
1. The sum of CI\$1,938.10 against the 1<sup>st</sup> and 2<sup>nd</sup> Defendants and each of them jointly and severally.
2. The sum of CI\$2,318.10 against the 2<sup>nd</sup> Defendant alone in addition to the said sum of CI\$1,938.10.
3. The rate of Pre-Judgment Interest at the rate of 7 7/8% per annum from the 1<sup>st</sup> February 1998 to the 31<sup>st</sup> December 1998; thereafter, at the rate of 7% per annum from the 1<sup>st</sup> January 1999 to the 31<sup>st</sup> March, 2000; thereafter, at the rate of 8% per annum from the 1<sup>st</sup> April 2000 to the 30<sup>th</sup> September 2000.
4. Costs.
5. Further and/or other relief.

**STATEMENT REGARDING INTEREST:**

1. The total amount of interest claimed is CI\$746.58
2. The interest accruing each day hereafter is CI\$.93.

If, within the time for returning the Acknowledgment of Service, the Defendants, or either of them pays the total amount claimed of CI\$4,256.20, filing fees and fixed costs of CI\$250.00, further proceedings will be stayed. The money must be paid to the Plaintiff.

Dated this 5th day of October, 2000.



**CHARLES ADAMS, RITCHIE & DUCKWORTH**  
**Attorneys-at-Law for the Plaintiff**

This Statement of Claim was issued by Charles Adams, Ritchie & Duckworth, the Attorneys-at-Law for and on behalf of the Plaintiff herein, whose address for service is P.O. Box 709, Zephyr House, George Town, Grand Cayman, Cayman Islands.