

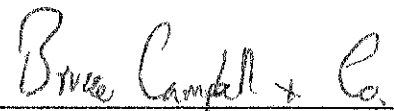
STATEMENT OF CLAIM

1. The Plaintiff is a business operating as Paramount Carpet Sales and Service Ltd. The Defendants purchased various goods from the Plaintiff on various dates between August 1996 and March 1998.
2. On 8th August 1996 and 5th September 1996 the Plaintiff received two lump sum deposits from the Defendants in the sum of CI\$8,075.00 and CI\$4,993.00 respectively to cover the cost of materials and goods sold by the Plaintiff to the Defendants for a total sum of CI\$19,975.47.
3. During the period between August 1996 and March 1998 the Plaintiff sold materials and goods to the Defendants in the sum of CI\$19,975.47. The Defendants made two further payments to the Plaintiff totalling CI\$1,384.00 bringing the total amount paid by the Defendants to CI\$14,452.00.
4. The last payment made to the Plaintiff by the Defendants was on or around March 1998 in the sum of CI\$300.00. From that date no further payments have been made to the Plaintiff by the Defendants. The Defendants have failed and refused to pay the sum of CI\$5,523.47 which remains due and owing to the Plaintiff. The Plaintiff therefore claims the sum of CI\$5,523.47.
5. Further, the Plaintiff claims interest at the rate of 8% per annum from 1st April 1998 to today's date (equivalent to 938 days at CI\$1.21) amounting to CI\$1,134.98 as at today's date pursuant to Section 34(1) of the Judicature Law (1995 Revision). The Plaintiff further claims interest at the daily rate of CI\$1.22 from today's date until payment.

AND THE PLAINTIFF CLAIMS

1. The sum of CI\$5,523.47.
2. Pre and post judgment interest as aforesaid currently amounting to CI\$1,134.98, pursuant to Section 34(1) of the Judicature Law (1995 Revision).
3. Costs.
4. Such further or other relief as the Court thinks fit.

If within the time for returning the acknowledgment of service form the Defendant pays the total amount claimed of CI\$5,523.47, interest in the total sum of CI\$1,134.98 from 1st April 1998 calculated as set out at clause 5 above at the rate of 8% per annum and continuing at the rate of CI\$1.22 per day from today's date until payment in full, plus the further sum of CI\$400.00 in respect of costs and fees, further proceedings will be stayed. The funds must be paid to the Plaintiff or its attorneys.



BRUCE CAMPBELL & CO

Attorneys for the Plaintiff

FILED BY Bruce Campbell & Co., attorneys at law for the Plaintiff, whose address for service is 4th Floor, Scotiabank Building, George Town, Grand Cayman (ref: 8854/HSR/DAS)

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.

**Bruce Campbell & Co. (Ref: HSR)
P O Box 884 G.T.
George Town
Grand Cayman**

**Tel: 949 2648
Fax: 949 8613**

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

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. Box 495, 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 Acknowledgment 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 over for notes for guidance

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 his 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.