

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 827 OF 2000

BETWEEN EXECUTIVE AIR SERVICES LTD.

PLAINTIFF

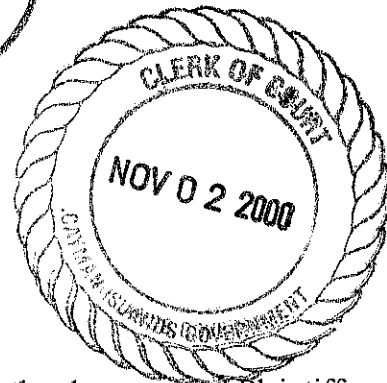
AND CARLEEN THOMAS SALMON

DEFENDANT

WRIT OF SUMMONS



TO: Carleen Thomas Salmon
C/o Westin Casuarina Hotel & Resort
P.O. Box 30620 SMB
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 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 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 this 1st day of November 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 at all material times a provider of Air Charter and other aviation related services, including air ambulance services. The Defendant travelled as a patient on an air ambulance charter provided by the Plaintiff.
2. On or about 18th September, 1998, a Phillip Levy ("Mr. Levy"), ostensibly acting on instructions from the Defendant contacted the one of the principals of the Plaintiff and requested emergency air ambulance service for the Defendant from Grand Cayman to Miami, Florida, USA, where the Defendant was in critical need of medical attention. On the same day, the Defendant or a person receiving documents on her behalf was given an invoice in the amount of CI\$5842.20 which was the cost of the air ambulance charter.
3. The Defendant undertook or caused and undertaking to be made to the Plaintiff that she was insured by Clico Insurance and that she would be responsible for the costs in any event.
4. In breach of the undertaking made in paragraph 3 above the Defendant has failed and / or refused to settle the amount referred to in paragraph 2.
5. By reason of the matters aforesaid the Plaintiff has suffered loss.
6. The Plaintiff claims interest at the rate of 8% pursuant to the Judicature Law (1995) Revision, The Judgement Debts (Rates of Interest) Rules 2000, calculated from the 18th of September and continuing until the date payment of the principal debt, accumulating at the daily rate of CI\$1.28, and totalling CI\$982.14 as at the date of this Writ.

AND THE PLAINTIFF CLAIMS:

1. The said sum of \$5842.20
2. Interest as pleaded in paragraph 6 above
3. Costs to be taxed if not agreed.

Dated this 1st day of *March* 2000

Samson Murray Jackson

Plaintiff's Attorneys-at-Law

THIS WRIT OF SUMMONS was issued by Samson Murray Jackson, Attorneys-at-Law for and on behalf of the Plaintiff herein, whose address for service is Sigma Building (West Wing) Hospital/Smith Roads, George Town, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 827 OF 2000

BETWEEN EXECUTIVE AIR SERVICES LTD.

PLAINTIFF

AND CARLEEN THOMAS SALMON

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. State the name of the Defendant by whom or on whose behalf the service of this 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 judgement 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 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 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:

Samson Murray Jackson
Attorneys-at-Law
Sigma Building, Hospital / Smith Roads
P.O. Box 10067 APO
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:

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS.

1. The accompanying form of *Acknowledgement 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 495G, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgement 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 endorsed 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 judgement is served on the Defendant.

If the defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgement 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 judgement 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 Acknowledgement, 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 instalments or otherwise.

See over for notes for guidance

Please complete overleaf.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement 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 a ()” 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.