

Legal Aid

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN, GRAND CAYMAN
CAUSE NO. 132 OF 1996**

BETWEEN COLIN CHRISTIAN **PLAINTIFF**
AND THOMPSON SHIPPING CO. LTD. **1st DEFENDANTS**
AND CAYMAN ISLANDS PORT AUTHORITY **2nd DEFENDANTS**
AND MICHAEL JERVIS **3rd DEFENDANT**

WRIT OF SUMMONS

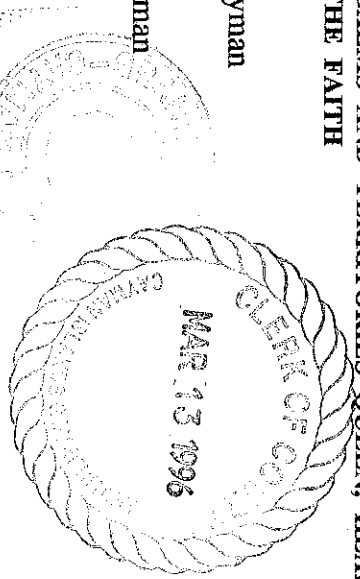
ELIZABETH II, BY THE GRACE OF GOD, OF THE UNITED KINGDOM, GREAT BRITAIN AND NORTHERN IRELAND AND OF OUR REALMS AND TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH DEFENDER OF THE FAITH

TO: Thompson Shipping Co. Ltd
Eastern Avenue, George Town, Grand Cayman

TO: The Cayman Islands Port Authority
Harbour Drive, George Town, Grand Cayman

TO: Michael Jervis
c/o The Cayman Islands Port Authority

We command you that within fourteen days after the service of this Writ upon you, exclusive of the day of service, to cause an appearance to be entered for you in an action at the suit of:



COLIN CHRISTIAN
Northward, Grand Cayman.

AND TAKE NOTICE that in default of your so doing the Plaintiff may proceed therein and judgement may be given in your absence.

WITNESS Judge of the Grand Court of the Cayman Islands the 13th day
of March 1996.

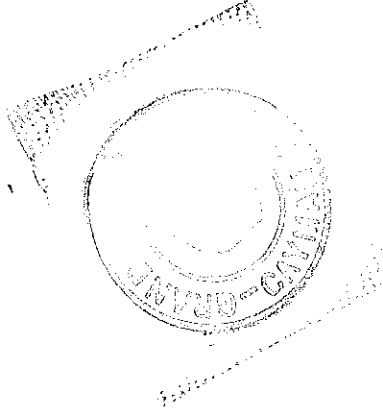
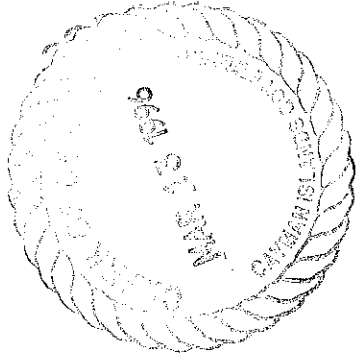
NOTE: This Writ is to be served within twelve calendar months from the date hereof, or if renewed within six calendar months from the date of the last renewal, including the day of such date, and not afterwards. The Defendants may appear hereto by entering an appearance either personally or by a legal practitioner at the office of the Clerk of the Grand Court in Grand Cayman.

ENDORSEMENT

The Plaintiff's claim is against the Defendants jointly and/or severally to recover damages for injuries caused to the Plaintiff on or about the 15th day of September 1993 as a result of the negligent handling of a fork lift by the Third Defendant the servant and/or the agent of the First and/or the Second Defendant herein:

Dated this 11th day of March 1996.

L.A. Samson & Co.
L.A. SAMSON & CO.
Attorneys-at-Law for the Plaintiff



FILED by L.A. Samson & Co., Attorneys-at-Law for and on behalf of the Plaintiff whose address for service is Suite D1, Cayman Business Park, Thomas Russell Way, George Town, Grand Cayman, British West Indies.

DIRECTIONS FOR ACKNOWLEDGEMENT 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 495, George Town, Grand Cayman, BWI.

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].

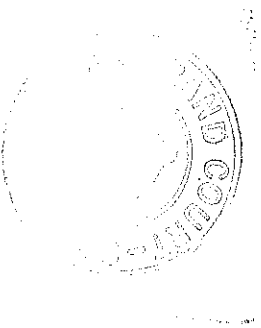
If a Statement of Claim is not endorsed on the Writ [i.e the words "Statement of Claim" appear on the top of page 2], the defence must be served within fourteen (14) days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgement is served on the Defendant.

If the Statement of Claim is endorsed on the Writ, the defence need not be served until fourteen (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 within further notice.

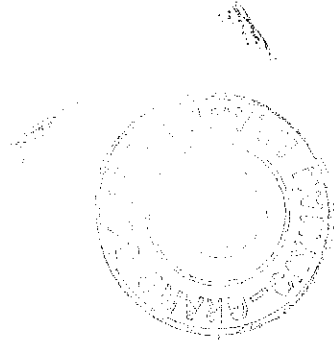
3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgement is entered. If a Defendant to an action for a debt or liquidated demand [i.e. a fixed sum] who does not intend to contest the proceedings states, in answer to question 3 in the Acknowledgement of Service, that he intends to apply for a stay, execution will be stayed for fourteen 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.

P.T.O



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 [.....]" after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorized 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.



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AND THOMPSON SHIPPING CO. LTD. 1st DEFENDANTS

AND CAYMAN ISLANDS PORT AUTHORITY, 2nd DEFENDANTS

AND MICHAEL JERVIS 3rd 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 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 judgement entered by the Plaintiff [tick box]

Yes

Service of the Writ is acknowledged accordingly

[Signed]

[Attorney]

Defendant in Person

Address for Service

Notes on Address for Service

Attorney:

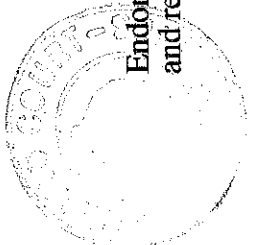
Where the Defendant is represented by an Attorney, state the Attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign Attorney.

Defendant in Person:

Where the Defendant is acting in person, he must give his post office box number and 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.

Endorsement by Plaintiff's Attorney [or by Plaintiff if suing in person] of his name, address and reference, if any, in the box below

L. A. SAMSON & CO.
P.O. BOX 35 GT
SUITE D 1
CAYMAN BUSINESS PARK
THOMAS RUSSELL WAY
GRAND CAYMAN, B.W.I.



Endorsement 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 endorsement]