

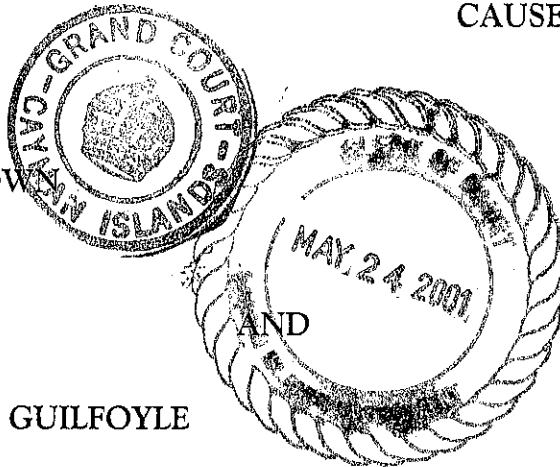
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 307 OF 2001

BETWEEN:

AMANDA BROWN

DAVID SHANE GUILFOYLE



PLAINTIFF

DEFENDANT

WRIT OF SUMMONS

TO: David Shane Guilfoyle
#2 Parkway Close
West Bay Road
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, PO Box 495GT, 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 23 day of May 2001.

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.

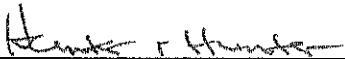
STATEMENT OF CLAIM

1. The Plaintiff and the Defendant have been involved in a personal relationship for approximately three and a half years.
2. In September 2000 the Defendant assaulted the Plaintiff and at the time she was pregnant with their child. The Defendant was charged with the assault and is presently on bail awaiting the outcome of the criminal proceedings.
3. The child was born on the 14 May 2000 and an agreement was made between the parties whereby the Defendant could visit the child between 5:00 pm and 8:00 pm.
4. On Monday, 21 May 2001 the parties had a disagreement and on Tuesday morning the Defendant came to the Plaintiff's house unannounced. The Plaintiff refused to let him in and as a result he broke into the house via the back door. He picked up the child and was walking around the house holding the child kicking and banging doors and screaming at the Plaintiff and other members of her family.
5. The Plaintiff and her family became concerned for the safety of the child because the Defendant was in a very agitated state and asked him to give them the child and to leave the premises. He refused to do so stating that he could come to the house whenever he wished.
6. The Plaintiff's sister was finally able to persuade him to give her the child and the Defendant left the premises when the police officers arrived.

7. The Defendant has throughout the relationship been a controlling and unpredictable person who has had to have his own way and has on several occasions been abusive to the Plaintiff.
8. While at the present time the Plaintiff do not anticipate that the Defendant would deliberately harm the child she is concerned with regards to her safety and the safety of the child given the Defendants irrational and unpredictable nature.

AND THE PLAINTIFF PRAYS:

- a) For a declaration that the Defendant be restrained from coming to her premises located at #207 Mahogany Way, Prospect, George Town, Grand Cayman.
- b) For a declaration that the Defendant be restrained from assaulting, threatening, harassing or otherwise interfering with the Plaintiff or the child.
- c) Such further and other relief that this Honourable Court deems just and equitable.



Hunter & Hunter
Attorneys for the Plaintiff

TO: The Clerk of the Court

AND TO: David Shane Guilfoyle
#2 Parkway Close
West Bay Road
George Town
Grand Cayman

This Writ was issued by Hunter & Hunter, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is 75 Fort Street, P.O. Box 190GT, George Town, Grand Cayman. (Ref: ZM/)

**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 GT, 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 indorsed on the Writ (i.e. the words of "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 Acknowledgement of Service, that he intends to apply for 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 (.....)" 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.

BETWEEN:

AMANDA BROWN

PLAINTIFF

AND

DAVID SHANE GUILFOYLE

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 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

[Defendant in person]

Address for service:

Notes on address for service

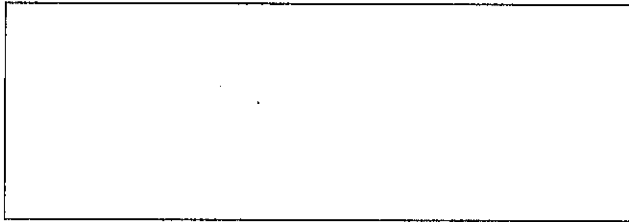
Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

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

Hunter & Hunter P.O. Box 190 GT The Huntlaw Building 75 Fort Street Grand Cayman (Ref: ZM/)
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Indorsement by Defendant's Attorney (or by Defendant if suing in person) of his name, address and reference, if any, in the box below.

A large, empty rectangular box with a thin black border, intended for the indorsement of the defendant's attorney or the defendant.