

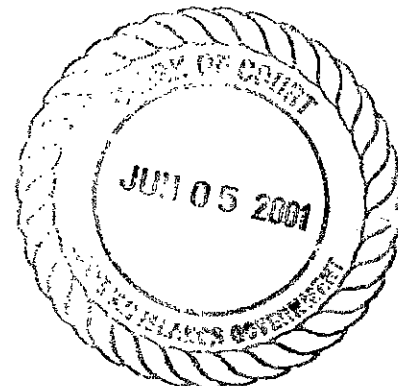
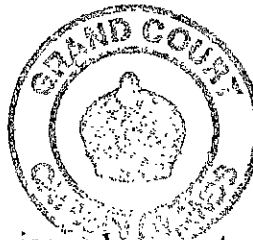
IN THE GRAND COURT OF THE CAYMAN ISLANDS
HELD AT GEORGE TOWN GRAND CAYMAN

CAUSE NO ³⁴⁰ OF 2001 ✓

BETWEEN CYNTHIA WILLIAMS PLAINTIFF
AND KENT RANKINE DEFENDANT

WRIT OF SUMMONS

To: Mr Kent Rankine
Paramount Carpets
N.Sound Rd., Grand Cayman,
Cayman Islands



THIS WRIT OF SUMMONS has been issued against you by the abovenamed Plaintiff in respect of the claim set out on the next page

Within (14 days) after the service of the Writ on you counting the day of service you must either satisfy the claim or return to the Court office P.O. Box 495 G.T. Grand Cayman Cayman Islands the accompanying Acknowledgement of Service stating therein whether you intend to contest the 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 day of 2000

NOTE- This writ may not be served later than 4 calendar months (or if leave is required for 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

This Writ was issued by Keith Collins & Co. Attorneys at Law for and on behalf of the Plaintiff herein whose address for service is c/o of his said Attorneys of Elizabethan Square P.O. Box 2250 G.T. Grand Cayman Cayman Islands.

STATEMENT OF CLAIM

1. The Plaintiff was an employee of the Defendant who worked at the Defendants school to wit The Achievement Centre as a cook for a period of 5 years
2. With the consent of the Defendant – and after her employment was terminated – The Plaintiff erected a storage room to store her personal belongings on the Defendants premises at the said school.
- 3 Subsequently and without notifying the Plaintiff the Defendant had most of her said belongings removed to the dump in George town where they were destroyed.
4. The total loss to the Plaintiff amounts to some C.I.\$3,505.00 and in spite of the Plaintiffs request the Defendant has refused to compensate the plaintiff.

AND THE PLAINTIFF CLAIMS

- a. The full amount of C.I.\$3,505.00.
- b. Costs : 1. Legal fees (to date) in the amount of C.I. \$350.00
2 Filing fees in the amount of : C.I.\$150.00
3 Process server fees in the amount of : C.I.\$ 75.00
SUB TOTAL C.I.\$575.00
- c. Such interest as is due

If within the time for returning the acknowledgement of Service the Defendant pays the total amount claimed including interest and costs further proceedings will be stayed. The money must be paid to the Plaintiff or his attorney.

Keith Collins & Co.
Keith Collins & Co. ✓

IN THE GRAND COURT OF THE CAYMAN ISLANDS
HELD AT GEORGE TOWN GRAND CAYMAN

CAUSE NO ³⁴⁰ OF 2000

BETWEEN CYNTHIA WILLIAMS PLAINTIFF
AND KENT RANKINE 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
judgment being entered
against a Defendant
whereby he may have to
pay the costs of setting 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 appropriately)

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

Yes

Service of the Writ is hereby acknowledged

(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.

KEITH COLLINS & Co. (ph: 4164245)
Attorneys At Law
ELIZABETHAN SQUARE, G.I.
GRAND CAYMAN, CAYMAN ISLANDS

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

Acknowledgment of service of writ of summons (O.12, r.3)

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 495G, 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 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 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.