

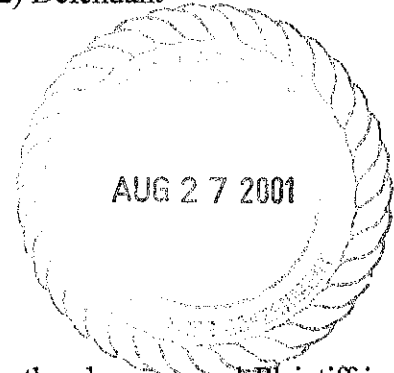
IN THE GRAND COURT
CAYMAN ISLANDS
CAUSE NO. ~~516~~ OF 2001

BETWEEN: LEMUEL EBANKS Plaintiff

AND: VIVIA PARCHMENT (1) Defendant
JOSEPHINA REID (2) Defendant

WRIT OF SUMMONS

To: Vivia Parchment – West Bay
Josephina Reid – George Town



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

Within fourteen (14) days of 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 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 27th August, 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, within 6 months) beginning with the date of issue unless renewed by the order of the Court.

IMPORTANT

Directions to Acknowledgement of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The plaintiff is a business-man.
2. The defendants are mother and daughter.
3. On the 7th June 1996 the plaintiff obtained an order against the 1st Defendant for the sum of \$7,978.30 plus costs to be taxed or agreed.
4. On the 29th July, 1999 the Judge made an order that the 1st defendant pay the plaintiff \$150.00 per month failing which she should be imprisoned for 30 days but she failed to pay as ordered and fell into arrears for which two warrants for her arrest were issued.
5. On or about the 11th May, the 1st defendant was arrested on two warrants for 30 days each. However, the defendants, in order that the 1st defendant may be released from prison, gave the plaintiff a promissory note to pay him the sum of \$7,478.81 with interest at the rate of 7 ½% per annum by monthly installments of \$250.00 commencing on the 30th June, 2001.
6. Despite the promissory note, the defendants have paid no money and the sum of \$7,478.81 is still due and owing.
7. In addition to the principal sum set out above, the plaintiff is entitled to interest from the date of the 11th May, 2001 at the rate of interest at the agreed rate of 7 ½% per annum. Interest of **\$165.96** on the principal sum is also due as of the date of the issuance of these proceedings. The particulars of interest are set out in the schedule attached to the Statement of Claim.

Wherefore the plaintiff prays that the defendant be ordered to pay:

1. Principal sum = \$7,478.81
2. Pre-judgment and post judgment interest upon the said principal sum at the agreed rate of 7 ½ % p.a.; and
3. Costs to be taxed or agreed

Dated this 27th August, 2001

NW
Neville W. Levy & Associates

INDORSEMENT

The amount claimed in respect of the debt is \$7,478.81 as principal and \$165.96 as interest until the issue of the Writ of Summons for a total of \$7,644.77. The amount of fixed costs is \$500.00 and the cost of issuing this Writ of Summons is \$150.00. If within the time for returning the acknowledgement of service the defendants pay the plaintiff's attorneys-at-law the total amount claimed in principal and interest, the fixed costs of issuing of the Writ of Summons, further proceedings will be stayed. The money must be paid to the plaintiff's attorneys-at-law at the NevLaw Building, 180 Shedden Road.

STATEMENT REGARDING INTEREST

The Agreed rate of interest on \$7,478.81 from 11th May, to the 27th is August, 2001 is 7 1/2% per annum.

This Writ is filed by Neville W. Levy & Associates, Attorneys-at-Law for and on behalf of the Plaintiff whose address for service is Suite No.1, 180 Shedden Road, George Town, Grand Cayman, P.O. Box 2178. Ph. 949-5429.

Schedule of Interest Calculated

Interest from 11th May to 27th August, 2001 = \$7,478.81 x .075 x 108/365 = \$165.96

And interest accruing at \$1.53 per day.

IN THE GRAND COURT
CAYMAN ISLANDS

CAUSE NO. 2001

BETWEEN: LEMUEL EBANKS PLAINTIFF
AND: VIVIA PARCHMENT (1) DEFENDANT
JOSEFINA REID (2) 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 defendants whereby they may have to pay the costs of applying to set it aside.

- 1 Vivia Parchment & Josefnia Reid
- 2 State whether the Defendants intend to contest the proceedings. (tick "yes" or "no")
- 3 State whether the Defendants intend to apply for a stay of execution of judgment entered by the Plaintiff (tick "yes")

Service of the Writ is acknowledged accordingly.

Signed

Attorney for Defendant

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.

Neville W. Levy & Associates
NevLaw Building,
180 Shedden Road,
George Town.
P. O. Box 2178.