

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 608 OF 2001

BETWEEN

- 1. BARBARA BARROW**
- 2. TURNER WRIGHT ALBERGA**
(a minor) by Barbara Barrows (his mother and next friend

PLAINTIFFS

AND:

- 1. ROYAL TOURS LTD. (formerly Avalon Tours Limited)**
- 2. KEITH BARNES**

DEFENDANTS

WRIT OF SUMMONS



TO: Royal Tours Ltd.
P.O. Box 1994 GT,
George Town,
Grand Cayman.

AND TO: Mr. Keith Barnes
George Town,
Grand Cayman.

AND TO: Motor & General Insurance Co. Ltd.
George Town
Grand Cayman.



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

Within 14 days after the service of this Writ of Summons on you, counting the day of service, you must either satisfy the claim or return to the Courts Office, P.O. Box 495, 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 Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this *27th* day of September, 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 Acknowledgment of Service are given with the accompanying form.

INDORSEMENT

The First Plaintiff's claim is for damages for personal injuries and loss and damage and the Second Plaintiff's claim is for damages for personal injuries and loss and damage caused by the negligent driving and/or breach of statutory duty of the Second Defendant as agent and or servant of the First Defendant together with interest thereon pursuant to Section 34 of the Judicature Law (1995 Revision) and the rules made thereunder and costs arising from a motor vehicle collision which occurred on or about 1st October, 1998 in the vicinity of the stop sign on Schoolhouse Road, George Town.

Charles Adams Ritchie & Duckworth

**CHARLES ADAMS, RITCHIE & DUCKWORTH
ATTORNEYS-AT-LAW FOR THE PLAINTIFFS**

This Writ was issued by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiffs herein whose address for service is P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies

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mother and next friend

PLAINTIFFS

AND:

1. ROYAL TOURS LTD. (formerly Avalon
Tours Limited)
2. KEITH BARNES

DEFENDANTS

ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS

Important. Read the accompanying Delay may result in judgment being
direction and notes for guidance carefully entered against a Defendant whereby he
before completing this form. If any may have to pay the costs of applying to
information required is omitted or given set it aside.
wrongly, THIS FORM MAY HAVE TO BE
RETURNED.

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
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 is suing in person) of his name, address and reference, if any, in the box below.

CHARLES ADAMS, RITCHIE &
DUCKWORTH
PO Box 709 GT
Zephyr House
Mary Street
George Town
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.

[Empty box for Defendant's Attorney indorsement]

Filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiffs herein whose address for service is that of their said Attorneys-at-Law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I.

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.