

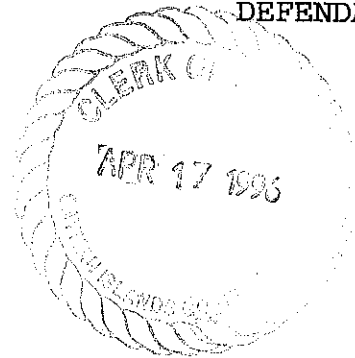
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 206 OF 1996

BETWEEN: JACQUES SCOTT & COMPANY LTD. PLAINTIFF
AND: JOHN EBANKS
AND: OLLIE EBANKS DEFENDANTS

WRIT OF SUMMONS

TO: MR. JOHN EBANKS & MRS. OLLIE EBANKS
C/O THE RACQUET CLUB
PO BOX 1
NORTH SIDE
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 of Summons on you, counting the days 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 Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 15th day of APRIL 1996.

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.

STATEMENT OF CLAIM

1. The Plaintiff is a wholesaler and retailer licensed to carry on business in the Cayman Islands, having its office and principal place of business on Crewe Road, George Town, Grand Cayman.
2. The Defendants are persons legally resident in the Cayman Islands. They are husband and wife and joint operators of the Racquet Club a duly licensed establishment carrying on business as, inter alia, a night club and bar.
3. By verbal agreement reached between the parties the Plaintiff agreed to provide the Defendants with a short-time credit facility in consideration of which the Defendants agreed, inter alia, to pay to the Plaintiff the amount of any and all purchases charged to their account not later than 15 days after the Plaintiff's statement of account.
4. By a series of invoices dated 11th March, 9th August, 11th September, 28th October, 18th November, and 15th December, 1994 the Plaintiff sold and delivered to the Defendants liquor, beer, juices and cigarettes to the value of CI\$7,127.50.
5. On or about 30th December, 1994 the Defendants paid to the Plaintiff by cheque number 5022215 drawn on their account at the Royal bank of Canada the sum of CI\$1,716.60 in settlement of one of the invoices, described in paragraph 4 above. That said cheque was referred to drawer by the

Plaintiff's bank for insufficient funds.

6. Despite the Plaintiff and the Plaintiff's attorneys numerous verbal and written demands for payment the Defendants have failed to date to make any remittance. The Plaintiff have only to credit balance of CI\$145.00 which has remained on account from the Defendant's previous dealings as part satisfaction of this debt.

AND THE PLAINTIFF CLAIMS:-

1. The sum of CI\$6,982.60;
2. Interest thereon pursuant to Section 62 (1) of the Judicature Law at the rate of 7 3/8 % per annum from the date of judgment until satisfaction.
3. Fixed costs pursuant to Order 62 Rule 1 (b) of the Grand Court Rules, 1995 of CI\$250.00 plus costs of filing this Writ of CI\$115.00.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of \$ (including interest and costs) further proceedings will be stayed. The money must be paid to the Plaintiff or his Attorney.



Charles Adams Ritchie & Duckworth
CHARLES ADAMS, RITCHIE & DUCKWORTH
ATTORNEYS-AT-LAW FOR THE PLAINTIFF



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

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 206 OF 1996

BETWEEN: JACQUES SCOTT & COMPANY LTD. PLAINTIFF

AND: JOHN EBANKS

AND: OLLIE EBANKS DEFENDANTS

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

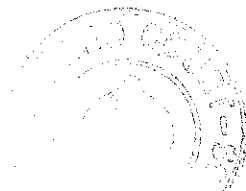
Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

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.

Charles Adams, Ritchie & Duckworth
Attorneys-at-Law
P.O. Box 709
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.



FILED BY: CHARLES ADAMS, RITCHIE & DUCKWORTH, Attorneys-at-Law
for and on behalf of the Plaintiff herein whose address for
service is that of its 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 tread 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.

