

IN THE GRAND COURT OF THE CAYMAN ISLANDS



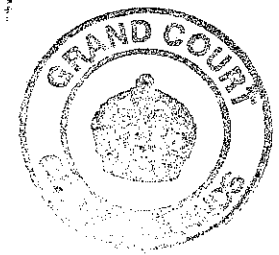
CAUSE NO. 780 OF 2001

BETWEEN: BANK OF BUTTERFIELD INTERNATIONAL (CAYMAN) LTD. Plaintiff

AND: CLEVELAND LEE EBANKS Defendant

WRIT OF SUMMONS

TO: CLEVELAND LEE EBANKS c/o The Retreat North Side Grand Cayman DEC 10 2001



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 Fourteen days [14] 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 495G, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment 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 10th day of December, 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.

STATEMENT OF CLAIM

1. The Plaintiff is a Class "A" Bank licenced to carry on commercial banking business within the Cayman Islands.
2. The Defendant was at all relevant times a customer of the Plaintiff Bank.
3. That on the 14th July 2000, by a Promissory Note No. 02/405/022151 and by an Agreement of even date, (together "the Loan"), the Plaintiff agreed to lend to the Defendant the sum of CI\$6,000.00 with interest at 5% above the Plaintiff's Prime Rate of Lending per annum.
4. It was a term of the said Agreement that the Defendant would pay the sum of CI\$700.00 per month, commencing on the 14th August 2000 and continuing on the 14th day of each month until the Loan was repaid in full.
5. That the Defendant has defaulted in making the agreed monthly payments.

PARTICULARS

Promissory Note no. 02/405/022451 and Agreement dated 14th July 2000.

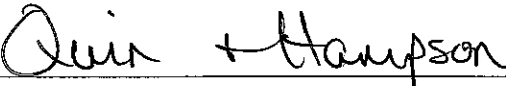
CI\$5,789.00 being the amount outstanding as of the 22nd November 2001 under the Loan.

AND THE PLAINTIFF CLAIMS against the Defendant:

1. The sum of CI\$5,789.00.

2. The Plaintiff further claims interest on the said sum aforesaid pursuant to the terms of the Promissory Note dated 14th July 2000 at the rate of 10% per annum from the date hereof until judgment or sooner payment at the rate of CI\$1.59 per diem.
3. The Plaintiff claims interest on the said sum aforesaid and at the rate in 2 hereof of CI\$1.59 per diem from judgment until settlement.
4. Costs to be assessed by the Court or to be taxed.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of CI\$6,300.00 (including interest and costs) further proceedings will be stayed. The money must be paid to the Plaintiff or his Attorney.



QUIN & HAMPSON
Attorneys-at-Law for the Plaintiff

THIS WRIT was issued by Messrs. Quin & Hampson, whose address for service is Harbour Centre, Third Floor, PO Box 1348, George Town, Grand Cayman, B.W.I.

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 installments or otherwise.

See over for notes for guidance

CAUSE NO. 780 OF 2001

BETWEEN: BANK OF BUTTERFIELD INTERNATIONAL (CAYMAN) LTD. Plaintiff

AND: CLEVELAND LEE BANKS 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:

Please complete overleaf