



## STATEMENT OF CLAIM

1. The plaintiff is a local company in the business of selling ready mixed concrete.
2. The defendant works at John Grey High School and lives at Admiral Landing.
3. On the 25<sup>th</sup> November 2000 the defendant obtained \$9,000.00 worth of ready mixed concrete from the plaintiff and made the following payments in 2001
  - a. 2<sup>nd</sup> January, \$5000.00 leaving balance of \$4,000.00
  - b. 7<sup>th</sup> May, \$300.00 leaving balance of \$3,700.00
  - c. 4<sup>th</sup> July, \$300.00 leaving balance of \$3,400.00 and
  - d. 10<sup>th</sup> September, \$300.00 leaving a balance of \$3,100.00 unpaid

In addition to the principal sum of \$3,100.00, the plaintiff is entitled to interest at the rate of interest being that established pursuant to the Judicature Law (1995 Revision). Interest of \$ 310.21 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 =\$3,100.00
2. Pre-judgment and post judgment interest upon the said principal pursuant to the Judicature Law (1995 Revision) and the Judgment debts (rates of interest) rules as prescribed from time to time; and
3. Costs to be taxed or agreed

Dated this 13<sup>th</sup> December, 2001

  
\_\_\_\_\_  
Neville W. Levy & Associates

## INDORSEMENT

The amount claimed in respect of the debt is **\$3,100.00** as principal and **\$310.21** as interest until the issue of the Writ of Summons for a total of **\$3,410.21**. 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 prescribed rate of interest on \$9000.00 from 25<sup>th</sup> November, 2000 to the 2<sup>nd</sup> January, 2001 is 8% p.a. annum.

The prescribed rate of interest on \$4000.00 from 3<sup>rd</sup> January, 2001 to 7<sup>th</sup> May, 2001 is 8% p.a.

The prescribed rate of interest on \$3,700.00 from 8<sup>th</sup> May, 2001 to 4<sup>th</sup> July, 2001 is 6.25% p.a.

The prescribed rate of interest on \$3,400.00 from 5<sup>th</sup> July, 2001 to 10<sup>th</sup> September, 2001 is 6.25%

The prescribed rate of interest on \$3,100.00 from 6<sup>th</sup> July, 2001 to 12<sup>th</sup> December 2001 is 6.25%

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 25/11/00 to 2/1/01	= \$9000 x .08 x 38/365	= \$74.95
Interest from 3/1/01 to 7/7/01	= \$4000 x .08 x 125/365	= \$109.58
Interest from 8/5/01 to 4/7/01	= \$3700 x .0625 x 58/365	= \$36.74
Interest from 5/7/01 to 10/9/01	= \$3,400 x .0625 x 58/365	= \$39.58
Interest from 11/9/01 to 12/12/01	= \$3,100 x .0625 x 93/365	= \$49.31
Total interest		= \$310.21

**And interest accruing at \$0.53 per day.**

IN THE GRAND COURT  
CAYMAN ISLANDS

CAUSE NO.795 2001

BETWEEN: NATIONAL CONCRETE LTD. PLAINTIFF  
AND: FERDINAND SMITH 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 **Ferdinand Smith**
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" or "NO")

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.

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

Neville W. Levy & Associates  
Attorneys-at-Law,  
180 Shedden Road,  
George Town,  
Grand Cayman

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

[Empty box for defendant's Attorney indorsement]