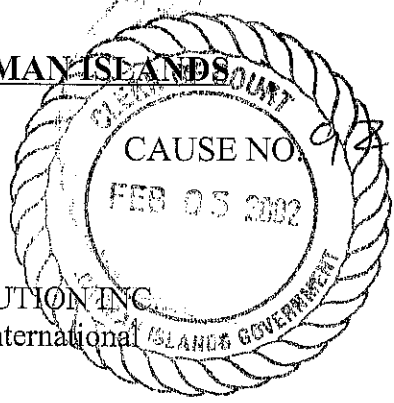
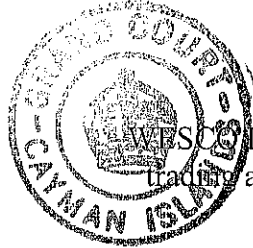


**IN THE GRAND COURT OF THE CAYMAN ISLANDS**



BETWEEN:



AVESCO DISTRIBUTION INC  
trading as Avon International

OF 2002

Plaintiff

AND:

- (1) ROBERT DUTY
- (2) SONNY DUTY

Defendants

**WRIT OF SUMMONS**

TO: ROBERT DUTY  
 Trading as Electrical Enterprises  
 PO Box 1008GT  
 Unit 8 Kayland Building  
 Spark's Drive, George Town

SONNY DUTY  
 Trading as Electrical Enterprises  
 PO Box 1008 GT  
 Unit 8 Kayland Building  
 Sparky's Drive, George Town

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 on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495 GT, 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 4th day of February, 2002.

**IMPORTANT**

Directions for Acknowledgment of Service are given with the accompanying form.

*Wesco Distribution Inc. v Duty and Duty*

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 STATEMENT OF CLAIM  
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1. The Defendants are indebted to the Plaintiff in the total sum of US\$13,735.11 under the Plaintiff's invoices set out below which the Plaintiff has rendered to the Defendants but which remain unpaid despite repeated demands for payment:

<u>Invoice No.</u>	<u>Capital Debt</u>
17704	US\$10,940.00
17762	US\$ 493.18
17852	US\$ 131.50
17958	US\$ 687.50
17959	US\$ 132.93
18148	US\$ 1,350.00
	<u>US\$13, 735.11</u>

2. Further the Plaintiff is entitled to and claims interest on the said sums totalling to US\$13,735.11 under section 34 of the Judicature Law (1995 Revision) as set out below or at such rate and for such periods as the Court may determine.

Particulars of Interest

- (a) Pre-Judgment Interest to the date hereof and continuing until judgment or sooner payment:

<u>Date of Invoice</u>	<u>Invoice Number</u>	<u>Amount of Invoice/ Debt</u>	<u>Interest @ 8% to 01-Dec-01</u>	<u>Interest @ 4.5% from 1-Dec-01 to 4-Feb-02</u>	<u>Continuing Daily Interest @ 4.5%</u>	<u>Total Debt With Interest to 04 Feb '02</u>
02-Mar-00	17704	10,940.00	582.67	87.67	1.35	
13-Mar-00	17762	493.18	25.08	3.95	0.06	
03-Apr-00	17852	131.50	6.08	1.06	0.02	
27-Apr-00	17958	687.50	28.33	5.49	0.08	
28-Apr-00	17959	132.93	5.45	1.08	0.02	
30-May-00	18148	1,350.00	45.57	10.83	0.17	
					1.75	
		13,735.11	703.18	110.13		14,548.42

*Wesco Distribution Inc. v Duty and Duty*

- (b) Post-Judgment Interest: at the then-prevailing Court rate, on the principal sum of the judgment until payment in full.

AND THE PLAINTIFF CLAIMS:

- (1) US\$13,735.11;
- (2) Interest as aforesaid;
- (3) Court fees paid to issue this Writ of US\$182.93 (CI\$150.00) and the US\$15.40 (CI\$12.63) *ad valorem* fee.
- (4) Costs.

GCR Order 6 rule 2(b) Indorsement:

If within the time for returning the Acknowledgment of Service, the Defendants pay **the total amount claimed of US\$ 15,966.26** (capital debt with interest being US\$14,548.42, assessed costs of US\$1,219.51 (CI\$1,000.00), and the issue fees of US\$198.33 (CI\$ 162.40) further proceedings will be stayed. The money must be paid to BOXALLS, the Plaintiff's attorneys



**BOXALLS**

Attorneys-at-Law for the Plaintiff

This Writ and Statement of Claim was issued by Boxalls whose address for service is: PO Box 1234 GT, 3<sup>rd</sup> Floor, Queensgate House, South Church Street, Grand Cayman, British West Indies (Reference: 2137-0001 JCC).

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2002

BETWEEN:

WESCO DISTRIBUTION INC.  
Trading as Avon International

Plaintiff

- and -

- (1) ROBERT DUTY
- (2) SONNY DUTY

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 of Summons is being acknowledged.

ROBERT DUTY

- 
2. State whether the Defendant intends to contest or otherwise participate in the proceedings (*tick appropriate box*).

yes

no

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**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**

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**Service of the Writ of Summons is acknowledged accordingly.**

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**Attorney for the Defendant**  
**Address for service:**

**Notes on address for service:**

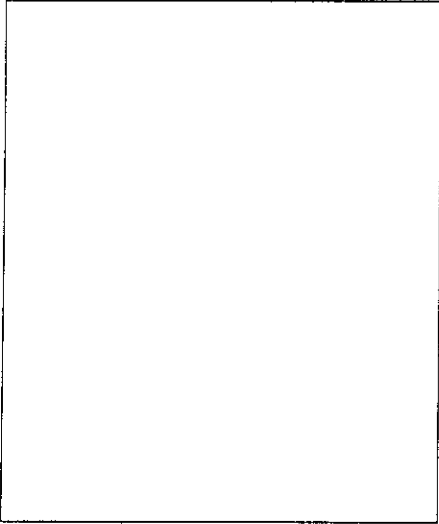
Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

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 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.

Boxalls Attorneys-at-Law PO Box 1234GT George Town Grand Cayman, Cayman Islands British West Indies (Reference: 2137-0001/JCC)
---

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

A large, empty rectangular box with a thin black border, intended for the indorsement by the defendant's attorney or the defendant if suing in person. The box is currently blank.

**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 instalments or otherwise.

*See over for notes for guidance.*

*Please complete overleaf.*

## 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 of 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 his 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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2002

BETWEEN:

WESCO DISTRIBUTION INC.  
Trading as Avon International

Plaintiff

- and -

- (1) ROBERT DUTY
- (2) SONNY DUTY

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 of Summons is being acknowledged.

SONNY DUTY

- 
2. State whether the Defendant intends to contest or otherwise participate in 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 of Summons is acknowledged accordingly.

\_\_\_\_\_  
**Attorney for the Defendant**  
**Address for service:**

**Notes on address for service:**

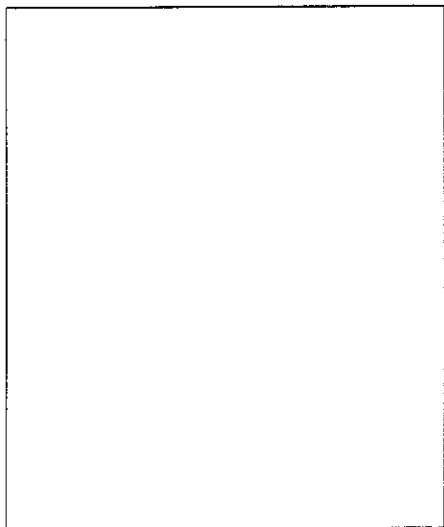
Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

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 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.

Boxalls  
Attorneys-at-Law  
PO Box 1234GT  
George Town  
Grand Cayman, Cayman  
Islands  
British West Indies  
(Reference: 2137-0001/JCC)

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

A large, empty rectangular box with a thin black border, intended for the indorsement by the defendant's attorney or the defendant.

## 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.
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