

IN THE GRAND COURT
CAYMAN ISLANDS
CAUSE NO. 192 OF 2002



BETWEEN: NEVILLE W. LEVY Plaintiff

AND: DELINGER WILMER DIXON Defendant

WRIT OF SUMMONS

To: Delinger Wilmer Dixon
Breakers

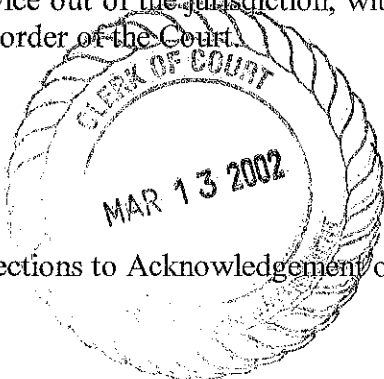
THIS WRIT OF SUMMONS has been issued against you by the above named Plaintiff in respect of claim set out in the next page.

Within fourteen (14) days of service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P. O. Box 495G, 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 13th March, 2002.

NOTE: This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, within 6 months) beginning with the date of issue unless renewed by the order of the Court.



IMPORTANT



Directions to Acknowledgement of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The plaintiff is a local Attorney
2. The defendant lives in Breakers.
3. On or about the 19th February, 2000 the defendant employed the plaintiff to file an answer and cross-petition to the petition of his wife, Cause No. 83 of 2000 and promised to pay the legal fees at the end of the proceedings when the matrimonial property was sold and the proceeds shared.
4. The plaintiff worked on the defendant's divorce action until the 7th June, 2001. However, on the 13th June, the defendant accused the plaintiff of working for the petitioner. Accordingly, on the 22nd June, the plaintiff made an application to the Court to release him from the case. The application was granted on the 16th July, 2001 by Mr. Justice Graham who granted the application.
5. A bill for work done and disbursement was delivered to the defendant on the 25th July for \$2,943.33 to be paid within 14 days failing which the amount would accrue interest at 6% per annum until paid. However, since then, no money has been paid and the sum of \$2,943.33 is still due and owing with interest.

In addition to the principal sum of **\$2,943.33** due to the plaintiff, he is also is entitled to interest from the 9th August, 2001 at the rate of **6%** per annum until payment. Interest of **\$104.50** 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 =\$2,943.33
2. Pre-judgment and post judgment interest upon the said principal sum until payment.
3. Costs to be taxed or agreed

Dated this 13th March, 2001



Neville W. Levy & Associates

INDORSEMENT

The amount claimed in respect of the debt is \$2,943.33 as principal and \$104.50 as interest until the issue of the Writ of Summons for a total of \$3,047.83. The amount of fixed costs is \$500.00 and the cost of issuing this Writ of Summons is \$150.00 and service fees \$60.00. If within the time for returning the acknowledgement of service the defendant 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 agreed rate of interest on \$2,943.33 from 10th August, 2001 to the 13th March, 2001 is 6% per annum.

This Writ is filed by Neville W. Levy & Associates, Attorney-at-Law for and on behalf of the Plaintiff whose address for service is Suite No.2, 180 Shedden Road, George Town, Grand Cayman.

Schedule of Interest Calculated

Interest from 9th August, 2001 to 13/3/02 = \$2,943.33 x .06 x 216/365 = \$780.15

And interest accruing at \$0.48 per day.

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.

Neville W. Levy & Associates
NevLaw Building,
180 Shedden Road,
George Town.
P. O. Box 2178.