

IN THE GRAND COURT  
CAYMAN ISLANDS  
CAUSE NO. OF 2002

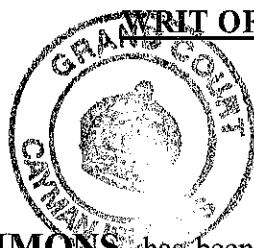
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BETWEEN: ELIZABETH SENIOR Plaintiff

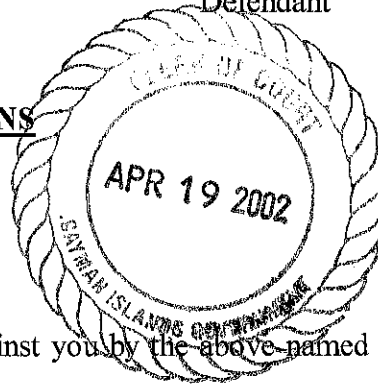
268/02

AND: DENZIL CLARKE Defendant

To: Denzil Clarke  
George Town.



WRIT OF SUMMONS



**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 19<sup>th</sup> April, 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 lives in West Bay.
2. The defendant lives in George Town.
3. On or about the 10<sup>th</sup> January, 2001, in consideration of the plaintiffs withdrawing Cause No. 411/99 against the defendant and Sandra Clarke, his wife, the defendant promised to take over the payments and pay the balance \$14,581.41 with 10% per annum by monthly instalments of \$400.00 commencing on the 1<sup>st</sup> March, 2001.
4. The defendant made certain payments then asked to be given until March, 2002 to catch up but has not done so and the sum of \$13,081.41.

In addition to the principal sum of \$13,081.41 due to the plaintiff, she is entitled to agreed interest from 10th October, 2001 at the rate of interest at the rate of 10% per annum. Interest of **\$1,655.78** 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 =\$13,081.41
2. Agreed interest at 10% per annum
3. Costs to be taxed or agreed

Dated this 19<sup>th</sup> April, 2002

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

## **INDORSEMENT**

The amount claimed in respect of the debt is \$13,081.41 as principal and \$1,663.33 as interest until the issue of the Writ of Summons for a total of **\$14,744.73**. The amount of fixed costs is \$500.00 and the cost of issuing this Writ of Summons is \$180.81. 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 Agreed rate of interest on \$14,584.41 from 10<sup>th</sup> January, 2001 is 10% per annum.

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 10<sup>th</sup> January, 2001 to 19<sup>th</sup> April, 2002 is  $\$13,084.41 \times .1 \times 464/356 = \$1,663.33$

**And interest accruing at \$3.58 per day.**

IN THE GRAND COURT  
CAYMAN ISLANDS

CAUSE NO. 2002

BETWEEN:                   **ELIZABETH SENIOR**                   PLAINTIFF  
AND:                         **DENZIL CLARKE**                         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       Denzil Clarke
- 2       State whether the Defendant intend to contest the proceedings. (tick “yes” or “no”)
- 3       State whether the Defendant intend to apply for a stay of execution of judgment entered by the Plaintiff (tick “yes”)

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.

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

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

