



## STATEMENT OF CLAIM

1. On 1 May 1999, the defendant, so negligently drove a motor vehicle, registration number 58841, along West Bay Road in the direction of West Bay, that it collided with the Plaintiff causing him to receive serious medical injuries.
2. The Plaintiff was cycling a bicycle along West Bay Road when Mr. Isaac Watson so negligently drove his motor vehicle along the road that it collided with Mr. Ebanks who was cycling at the side of the road which collision caused him to be knocked to the ground.

### PARTICULARS OF NEGLIGENCE

- (a) Driving too fast.
- (b) Failing to keep any or any proper lookout or to have any or any sufficient regard for cyclist in the road.
- (c) Colliding with the cycle being ridden by the Plaintiff.
- (d) Failing to see the Plaintiff in sufficient time to avoid colliding with him or at all.
- (e) Failing to stop, to slow down, to swerve, or in any other way so to manage or control the motor vehicle so as to avoid the collision.

4. By reason of the matters aforesaid, the Plaintiff sustained personal injuries and has suffered loss and damage.

### PARTICULARS OF INJURIES

The Defendant's date of birth is 12 May 1942. Following the accident on 1 May 1999, the Plaintiff was rendered unconscious for a short period of time. He suffered a re-fracture of the right humerus and right fifth metacarpal which injuries are now well healed.

### PARTICULARS OF SPECIAL DAMAGE

Date	Description	Costs (CIS)
1 May 1999 to date	medical expenses	to be itemised

AND the Plaintiff claims

- (i) Damages
- (ii) Further, pursuant to The Judicature Law (1995 Revision), the Defendant is entitled to and claims interest on such sums as are found to be due at such rate and for such period as the Court shall think fit.
- (iii) Costs



WOODWARD TERRY & COMPANY

THIS WRIT was issued by Clyde H. Allen whose address for service is Woodward Terry & Company, Attorneys-At-Law PO Box 822 GT, West Wind Building, Harbour Drive and Fort Street, Grand Cayman, Cayman Islands, BVI.

IN THE GRAND COURT OF THE CAYMAN ISLAND  
HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO.      OF 2001

BETWEEN  
AND:

DAVIS LEE EBANKS  
ISAAC WATSON

PLAINTIFF  
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.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

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2. State whether the Defendant intends to contest the proceedings (*tick appropriate box*)

yes

no

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3. If the claim against the Defendant is for a debt or a 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 is acknowledged accordingly

(Signed).....

[Attorney] for

Address for service: (please see overleaf)

*Please complete overleaf*

**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.*

C. H. Allen  
Woodward Terry & Company  
Attorneys-At-Law  
PO Box 822 GT  
West Wind Building  
Harbour Drive and Fort Street  
Grand Cayman  
Cayman Islands

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