

STATEMENT OF CLAIM

1. The Plaintiff is a firm of lawyers entitled to practice in the Cayman Islands and at all material times were retained and instructed by the Defendant to appear on his behalf in proceedings in the Grand Court of the Cayman Islands, being Cause D113 of 1999.
2. The Defendant was at all material times domiciled and resident in the Cayman Islands and was the Petitioner in Cause D113 of 1999.
3. On or about the 21st day of September 1999 the Defendant instructed a Partner in the Plaintiff firm to commence divorce proceedings against his wife.
4. That in accordance with the said instructions the Plaintiff commenced the said proceedings on or about the 30th day of September 1999, being Cause D113 of 1999, and acted throughout on behalf of the Defendant until on or about the 21st day of December 2000 when the Defendant opted to change his said representation.
5. That the Defendant was billed periodically for all work carried out on his behalf throughout the proceedings.
6. That the last billed presented to the Defendant for payment on or about the 2nd day of January 2001 was in the sum of CI\$4,859.00.
7. That despite demands for payment of the said sum the Defendant has failed to honour his obligations and the said sum of CI\$4,895.00 remains due and outstanding.

STATEMENT REGARDING INTEREST

- (a) The prescribed rate of interest from the 22nd December 2000 to 31st May 2001 was 8% per annum.
- (b) The prescribed interest rate from 1st June 2001 to the 30th November 2001 was 6¼% per annum
- (c) The prescribed rate of interest from 1st December 2001 to date is 4½% per annum.
- (d) The date from which interest accrues is the 22nd December 2000.
- (e) The total interest claimed as at the date of the issue of this Writ of Summons is CI\$471.87.
- (f) The amount of interest accruing each day is CI\$0.60.

SCHEDULE OF INTEREST CALCULATED

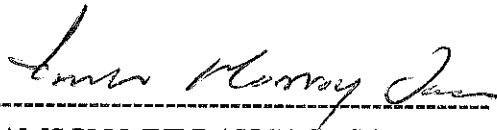
1. Interest from December 22 nd 2000-31 st May 2001	CIS\$165.83
2. Interest from 1 st June 2001-30 th November 2001	CIS\$151.84
3. Interest from 1 st December 2001-14 th August 2002	<u>CIS\$154.20</u>
	CIS\$471.87

AND THE PLAINTIFF CLAIMS:

1. The sum of CIS\$4,895.00;
2. Interest thereon pursuant to the Judicature Law and the Judgment Debts (Rates of Interest) Rules at the prescribed rates thereunder set from time to time;
3. Costs.

If, within the time for returning the Acknowledgement of Service, the Defendant pays the total amount claimed of \$6,046.87, including interest and cost, further proceedings will be stayed. The money must be paid to the Plaintiff.

Dated this 14th day of August 2002



SAMSON MURRAY JACKSON
Plaintiff's Attorneys-at-Law

THIS WRIT was issued by Samson Murray Jackson, Attorneys-at-Law for and on behalf of the Plaintiff, whose address for service is that of their said Attorneys-at-Law, The Ground Floor (West Wing) Sigma Building, 93 Hospital Road, George Town, Grand Cayman.

Acknowledgment of service of writ of summons (O.12, r.3)

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 in 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 its 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. 618 OF 2002

BETWEEN SAMSON MURRAY JACKSON PLAINTIFF
(A Law Firm)

AND VERNON WEBB 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 judgement being entered against a Defendant whereby he May have to pay the costs of applying to set it aside.

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

2. State whether the Defendant intends to contest the proceedings (tick the 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 judgement entered by the Plaintiff (tick box).

yes

Service of the Writ is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in person]

Address for service:

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 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 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:

SAMSON MURRAY JACKSON
The Ground Floor (West Wing)
Sigma Building
93 Hospital Road
George Town
Grand Cayman

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

[Empty box for Defendant's Attorney indorsement]