

IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO. 664 OF 2002

BETWEEN KATHRYN JACQUELINE MOXAM PLAINTIFF  
AND SAMUEL CAMPBELL DEFENDANT

WRIT OF SUMMONS

TO: SAMUEL CAMPBELL  
C/o The Water Authority  
George Town  
Grand Cayman



**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 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 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 judgement may be entered against you forthwith without further notice.***

Issued this      day of                      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, 6 months) beginning with the date of issue unless renewed by order of the Court.

**IMPORTANT**

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

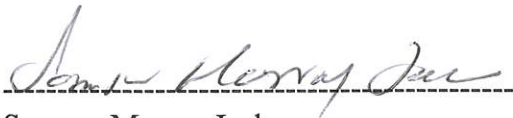
**ENDORSEMENT**

The Plaintiff claims to recover damages for personal injuries against the Defendant in that on the 4<sup>th</sup> day of September 2001 at Apartment #409 Windsor Lake Apartments in Windsor Park, George Town, Grand Cayman the Defendant unlawfully assaulted and beat the Plaintiff about her body thereby causing her injury, loss and damage.

***AND THE PLAINTIFF CLAIMS:***

1. Damages;
2. Interest;
3. Costs.

Dated this 2<sup>nd</sup> day of September 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 her 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.

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CAUSE NO. OF 2002

BETWEEN KATHRYN JACQUELINE MOXAM PLAINTIFF
AND SAMUEL CAMPBELL 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

- (b) The prescribed rate of interest from 1<sup>st</sup> December to date is 4½% per annum.
- (c) The date from which interest accrues is the 11<sup>th</sup> September 2001 for Special Damages.
- (d) The date from which interest accrues on the General Damages is from the date of Judgment to payment at such prescribed rates as may be in effect at such times.
- (e) The total interest claimed on Special Damages as at the date of the issue of this Writ is CI\$550.35.

**SCHEDULE OF GENERAL DAMAGES INTEREST CALCULATED**

1.	Interest from the 11 <sup>th</sup> September 2001 to 30 <sup>th</sup> November 2001	CI\$143.35
2.	Interest from the 1 <sup>st</sup> December 2001 to 2 <sup>nd</sup> September 2002	<u>CI\$407.00</u>
		CI\$550.30

***AND THE PLAINTIFF CLAIMS***

- 1. General Damages
- 2. Special Damages in the sum of CI\$11,960.00
- 3. Interest thereon pursuant to the Judicature Law and the Judgment Debts (Rates of Interest)) Rules at the prescribed rates set thereunder from time to time.
- 4. Costs.

Dated this 2<sup>nd</sup> day of September 2002



SAMSON MURRAY JACKSON (HDM)  
Attorneys-at-Law for the Plaintiff