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## STATEMENT OF CLAIM

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1. The Plaintiff is a firm of Attorneys practicing in the Cayman Islands.
2. The First and/or Second Defendants are clients of the Plaintiff.
3. Pursuant to a contract between the Plaintiff and the First and/or Second Defendants entered into on or around 22nd February 2000 the First and/or Second Defendants engaged the Plaintiff to advise him in respect of his/its business known as Bobo's Iguana lounge and bar. In the course of the said retainer the Plaintiff has incurred professional fees and disbursements.
4. Despite being requested to do so, the Defendant has failed to pay the Plaintiff's professional fees and disbursements. As at the date of this writ the balance outstanding and owing to the Plaintiff is US\$6,640.76.

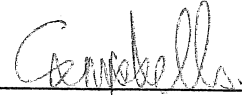
### STATEMENT REGARDING INTEREST

5. Interest upon the said sum is claimed pursuant to the Judicature Law (1995 Revision) and the Judgment Debts (Rates of Interest) Rules 2001 at the rate of 6¼% per annum. The date from which interest is calculated is 26<sup>st</sup> January 2001. The total amount of interest claimed as at 11<sup>th</sup> October 2002 (date of issue) is US\$708.42 (623 days). The amount of interest accruing each day thereafter is US\$1.14

### **AND THE PLAINTIFF CLAIMS**

1. The said sum of US\$6,640.76.
2. Interest thereon pursuant to the Judicature Law (1995 Revision) and the Judgment Debts (Rates of Interest) Rules 2001 as set out at Paragraph 5 above until judgment or sooner payment.
3. Costs.

If within the time for returning the acknowledgment of service the Defendant pays the total amount claimed of **US\$6,640.76**, interest to date of issue of **US\$708.42**, interest calculated at the rate of **US\$1.14** per diem from today's date until payment, plus the sum of **CIS250** in respect of fixed costs and fees, further proceedings will be stayed. The funds must be paid to the Plaintiff attorneys.



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**CAMPBELLS**  
**Attorneys at Law for the Plaintiff**

THIS WRIT is filed by Messrs. Campbells, Attorneys at Law for the Plaintiff herein, whose address for service is 4<sup>th</sup> Floor, Scotiabank Building, George Town, Grand Cayman.



## NOTES ON ADDRESS FOR SERVICE

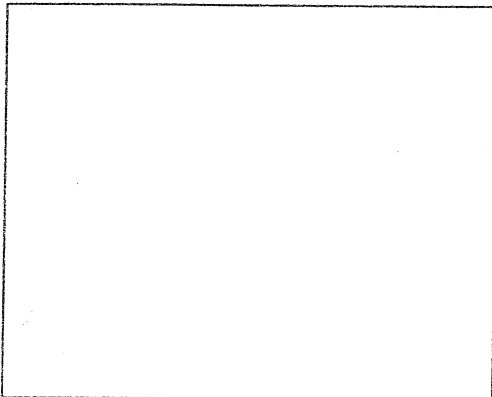
Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

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.*

**Campbells  
Attorneys at Law  
PO Box 884 GT  
George Town  
Grand Cayman  
Ref: 08496/laf**

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



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 495, 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 installments or otherwise.

*See over for notes for guidance*

## 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 his 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.