

IN THE GRAND COURT OF THE CAYMAN ISLANDS

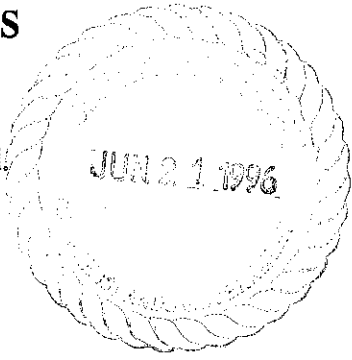
Civil Side

Cause No. 320 of 1996.

Between : JOSEPH OSBOURNE BARNETT Plaintiff
And : SHIRLEY BARNETT Defendant

WRIT OF SUMMONS

To : Shirley Barnett
c/o Caribbean Publishing Co. (Cayman) Ltd.
3 Paddington Place
North Sound Way
P.O. Box 688 GT
Grand Cayman



JUN 21 1996

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 fourteen (14) days after the service of this Writ on you, counting the date of service, you must either satisfy the claim or return to the Court Office, P.O. Box 295, George Town, Grand Cayman, Cayman Islands, B.W.I. the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment 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 21st day of June, 1996.

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 Acknowledgment of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The Plaintiff is a Caymanian and the owner of property on Birchtree Hill known as Osbourne's Apartments.
2. The Defendant was a tenant of #5 at those premises during the period March 31, 1993 through March 31, 1996.
3. The Defendant who is related to the Plaintiff was extremely delinquent about paying her rent but because of the family connection was allowed extra time and leeway in relation to payment of the account.
4. The Defendant abused the situation and allowed the outstanding amount to run up to a total sum of CI\$7,830.00.
5. Despite repeated requests and letters of demand written the Defendant has failed to pay the outstanding amount of CI\$7,830.00.

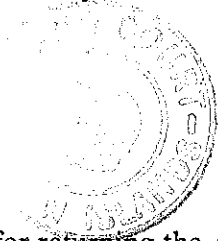
AND THE PLAINTIFF therefore claims:

1. The sum of CI\$7,830.00;
2. Interest on the judgment sum in the statutory amount; and
3. Costs namely:-

Filing fee	:	\$100.00
Bailiff fee	:	\$50.00
Legal costs	:	<u>\$250.00</u>
TOTAL		\$400.00
		=====



DATED this 21st day of June, 1996.



Collins Broadhurst & Furniss
Collins Broadhurst & Furniss
Attorneys-at-Law for the Plaintiff

If within the time for returning the Acknowledgment of Service the Defendant should pay the total sum claimed of CI\$8,230.00 (inclusive of costs) further proceedings will be stayed. The money must be paid to the Plaintiff or it's Attorney of record.

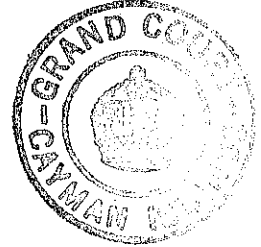
This Writ of Summons has been issued by **Collins Broadhurst & Furniss**, Attorneys-at-Law, for the Plaintiff, whose address for service is Elizabethan Square, 2nd Floor, P.O. Box 2503, George Town, Grand Cayman, Cayman Islands, British West Indies

IN THE GRAND COURT OF THE CAYMAN ISLANDS

Cause No. 320 of 1996.

Between : JOSEPH OSBOURNE BARNETT Plaintiff
And : SHIRLEY BARNETT Defendant

ACKNOWLEDGEMENT OF SERVICE
WRIT OF SUMMONS



To : Shirley Barnett
c/o Caribbean Publishing Co. (Cayman) Ltd.
3 Paddington Place, North Sound Way
P.O. Box 688 GT, Grand Cayman

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.

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

2. State whether the Defendant intends to contest the proceedings (tick 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 judgment 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

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.

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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