

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO ¹³³ OF 2003 ✓

BETWEEN: DESIGN AND DEVELOPMENT LIMITED

PLAINTIFF

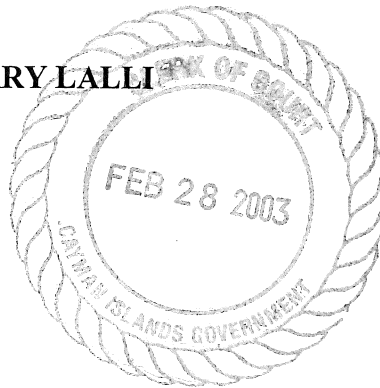
AND:

HARRY LALLI

DEFENDANT

TO THE DEFENDANT:

Harry Lalli
PO Box 30709 SMB
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 the 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 495 G.T., George Town, Grand Cayman, 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 within the time stated, or if you 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 February 2003

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 contracted with the Defendant in and about October 2000 to provide architectural designs for a wine bar, ("the Contract").
2. Pursuant to the Contract, the Plaintiff provided services to the Defendant.
3. Despite demand by way of invoices, the Defendant has failed to make payment in full or part to the Plaintiff in respect of the services rendered by the Plaintiff.
4. The Plaintiff claims damages from the Defendant for breach of contract in the sum of CI\$4,567.30.
5. The Plaintiff also claims interest on the principal sum at the rates laid down in the Judicature Law (1995 Revision) amounting to CI\$413.26 to the date hereof and continuing to accrue at the daily rate of CI\$13.65 per day until judgement or sooner payment.

STATEMENT REGARDING INTEREST:

<u>Invoice No.</u>	<u>Date</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Interest Claimed</u>
225	4/4/01	CI\$2,754.80	8% from 4 th April 2001 to 1 st June 2001	CI\$34.20
			6 ¼% from 1 st June 2001 to 1 st December 2001	CI\$86.01
			4 ½% from 1 st December 2001 to present	CI\$153.68
269	6/21/01	CI\$187.50	6 ¼% from 21 st June 2001 to 1 st December 2001	CI\$5.22
			4 ½% from 1 st December 2001 to present	CI\$10.39
305	7/21/01	CI\$1,125.00	6 ¼% from 21 st July 2001 to 1 st December 2001	CI\$25.08
			4 ½% from 1 st December 2001 to present	CI\$62.83
334	9/5/01	CI\$500.00	6 ¼% from 5 th September 2001 to 1 st December 2001	CI\$7.83

4 ½% from 1st December CI\$28.02
2001 to present

CI\$413.26

WHEREFORE the Plaintiff claims:

1. Judgement for the sum of CI\$4,567.30 plus interest to the date of the Writ in the sum of CI\$413.26 for a total sum of CI\$4,980.56.
2. Pre and post judgment interest on the total sum of CI\$4,980.56 at the daily rate of CI\$13.65 per day from 26th February 2003 until judgement or sooner payment.
3. Costs.

DATED February 2003

FILED February 2003

Campbells

CAMPBELLS

Attorneys at Law for the Plaintiff

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 (Ref: JRM)
P O Box 884 G.T.
George Town
Grand Cayman**

**Tel: 949 2648
Fax: 949 8613**

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

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.