

IN THE GRAND COURT OF THE CAYMAN ISLANDS

BETWEEN:

JOSHUA JAMES BODDEN
(a minor and person under disability acting by his mother and
litigation friend Fiona Chambers) **PLAINTIFF**

AND

CAYMAN ISLANDS HEALTH SERVICES AUTHORITY
DEFENDANT

WRIT OF SUMMONS

TO: To the Cayman Islands Health Services Authority, P.O Box 915, GT, Cayman
Islands

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 495GT, 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 to 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 judgment may be entered against you forthwith
without further notice.

Issued this 23rd day of May 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 Acknowledgement of Service are given with the accompanying form.

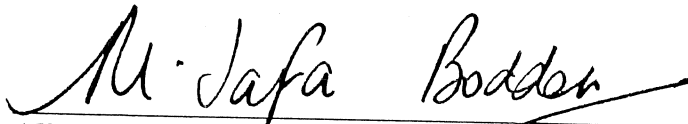
INDORSEMENT

1. The Plaintiff's claim is for general and special damages arising out of multiple acts of vicarious negligence by members of the Cayman Island Government Health Services Department (formerly George Town Hospital) summarized as follows:
 - 1.1 Damages suffered as a result of personal injuries sustained by the Plaintiff during his birth at the Defendant's hospital by reason of clinical negligence during delivery which caused severe and permanent disability including massive brain damage viz. cerebral palsy;
 - 1.2 The Plaintiff further claims for damages suffered as a result of personal injuries, suffering and losses sustained by him due to the negligent performance of various doctors and other persons and agents in the employ of the Defendant since his birth on 24th January 1998 which injuries are continuing on a daily basis whilst undergoing diagnosis and treatment for the injuries referred to in 1.1 above.

AND THE PLAINTIFF claims:

1. Damages for personal injury and negligence
2. Interest pursuant to the Judicature Law in such amounts and for such periods as the Court deems just.
3. Costs
4. Further and/or other relief

AND the Plaintiff claims damages and interest thereon and costs.



**ATTORNEY-AT-LAW FOR THE PLAINTIFF
MINAKSHI Jafa BODDEN
COUNSEL**

TO: To the Defendant

AND TO: The Clerk of the Court

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: ³⁴² OF 2003
LEGAL AID NO. 44/03

BETWEEN: **JOSHUA JAMES BODDEN**
(a minor and person under disability acting by his mother and
litigation friend Fiona Chambers) **PLAINTIFF**

AND

CAYMAN ISLANDS HEALTH SERVICES AUTHORITY
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 judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.
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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 Cayman Islands Health Services Authority

Address for service:

P.O. Box 915GT

George Town

Grand Cayman

Cayman Islands

c/o Keith Myers, Crown Counsel – Tower Building

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 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.

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

**XIX Fort Street Chambers
19 Fort Street, Suite Seven
George Town, Grand Cayman
Telephone: 345-9437000
Fax: 345-9437001**

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