

IN THE GRAND COURT OF THE CAYMAN ISLAND

CAUSE NO. 430 of 2003

BETWEEN: STRATA PLAN NO. 41 (COCOPLUM) PLAINTIFF

AND; MULTIVEST PROPERTIES LTD DEFENDANT

TO; Multivest Properties Ltd.
c/o Campbell Corporate Services Limited
George Town
Grand Cayman



WRIT OF SUMMONS

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, 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 Judgement may be entered against you forthwith without further notice.

Issued this day of June, 2003

NOTE: This Writ may not be served later than 4 calender months beginning with the date of the issue unless renewed by Order of the Court.

IMPORTANT

Directions for Acknowledgement of Service are given with the accompanying form

STATEMENT OF CLAIM

1 The Plaintiff is a Strata Corporation registered under the Strata Titles Registration Law and as such it is responsible for the Management and Administration of the properties known as "Cocoplum condominiums" which is located on the West Bay Road, Grand Cayman. The corporation is a statutory corporation formed by all of the proprietors of the strata lots contained in the strata plan known as "Cocoplum condos".

2 The Defendant, is a company registered in the Cayman Islands and at the material time it was the registered proprietor of Unit C2 at the Cocoplum condominiums .

3 The Plaintiff has all of the statutory functions stipulated in the said Strata Titles Registration Law and it is operated whereby owners of the various condos at the complex are required to make certain payments to maintain the common areas of the strata property for which Strata fees are paid on a quarterly basis.

4 The Strata fees payable by the Defendant and the other proprietors are to cover inter alia monthly tv charges, sewer charges, property insurance, bank loan assessments, etc for which a statement is produced on a quarterly basis and sent out to the said owners.

5 Each quarter the Plaintiff sends to inter alia the Defendant a statement detailing the sums due from it in relation to its share of the Corporation charges, outgoings and assessments in respect of the Strata Lot.

6 Despite delivery of such statements the Defendant has failed to discharge on a timely basis the sums due to the Corporation.

7 By the said statements, various letters of demand and in particular letters dated 12th December, 2002, 26th November, 2002, 19th December, 2002, 27th February, 2003, and 23rd June, 2003 from the attorneys representing the Plaintiff to the attorneys representing the Defendant, the Plaintiff has requested payment of the outstanding amount. The Defendant has refused and/or neglected to pay this outstanding amount which stands at CI\$14,087.38. The details of the charges represented in this amount have been made available to the Defendant's attorneys in each of the letters referred to above and finally in the Plaintiff's attorney's letter of 23rd June, 2003. The Plaintiff will rely on the content of the said letters and statements for their full terms and legal effect.

8 The Defendant is indebted to the Plaintiff in the amount of CI\$14,087.38 to 31st May, 2003 and in breach of its agreement to pay same has neglected and/or refused to pay same.

WHEREFORE THE PLAINTIFF CLAIMS

(a) The principal amount of CI\$14,087.38 (to 31st May, 2003)

(b) Interest

(g) Costs.

Dated this 24th day of June, 2003

Brooks & Brooks
BROOKS & BROOKS
Attorneys At Law for the Plaintiffs

THIS WRIT OF SUMMONS was filed by Brooks & Brooks Attorneys At Law for and on behalf of the Plaintiff herein whose address for service is that of her said Attorneys At Law One, Artillery Court , P O Box 1355GT GRAND CAYMAN

IN THE GRAND COURT OF THE CAYMAN ISLANDS

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AND; MULTIVEST PROPERTIES LTD 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 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
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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(Please tick box)

Yes	No
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Service of Writ is acknowledged accordingly _____

Signed _____

Please complete overleaf

(Attorney) for

(Defendant in Person)

Address for service:

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

**Brooks & Brooks
Attorneys At Law
P O Box 1355 GT
GRAND CAYMAN**

(One, Artillery Court, George Town, Grand Cayman)

Indorsement by the defendant's attorney (or by the defendant if suing in person) of his name, address and residence, if any in the box below