

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.: 595 OF 2003

BETWEEN:

THOMPSON SHIPPING CO. LTD.

PLAINTIFF

AND:

ISLAND BROKERS LTD.

DEFENDANT

**WRIT OF SUMMONS**

TO: Island Brokers Ltd.  
P.O. Box 10990 APO  
Grand Cayman, Cayman Islands

**THIS WRIT OF SUMMONS** has been issued against you by the above-mentioned 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 day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495 GT. George Town, Grand Cayman, Cayman Islands, 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            day of September 2003.

**NOTE:** This Writ may not be served later than four (4) calendar months (or if leave is required to effect service out of the jurisdiction, six (6) months) beginning with the date of re-issue unless renewed by Order of the Court

**IMPORTANT**

Directions for Acknowledgement of Service are given with the accompanying form.

## **STATEMENT OF CLAIM**

1. At all material times, the Plaintiff was a shipping company registered and carrying on business in the Cayman Islands.
2. At all material times the Defendant was a brokerage company registered and carrying on business in the Cayman Islands.
3. On the 30<sup>th</sup> day of May 2003 the Defendant drew a cheque for CI\$3,651.53 upon Cayman National Bank, payable to the Plaintiff for shipping services provided by the Plaintiff.
3. The Plaintiff duly presented the said cheque for payment on or about the 2<sup>nd</sup> day of June but it was dishonoured.
4. By a letter dated the 22<sup>nd</sup> day of July 2003 the Plaintiff duly gave notice to the Defendant of the said dishonour.

### **AND THE PLAINTIFF CLAIMS:**

- (i) The said sum of CI\$3,651.53.
- (ii) The Plaintiff further claims interest pursuant to Section 34 of the *Jurisdiction Law* on the sum of CI\$3,651.53 at the prescribed rate of 4.5% from the 2<sup>nd</sup> day of June 2003 to the date hereof being CI\$ 40.85 and accruing daily thereafter in the amount of CI\$0.44.

(iii) Costs to be taxed or agreed.

(If within the time for returning the Acknowledgement of Service, the Defendant pays the total amount claimed of CI\$4,145.46 (including interest and costs) further proceedings will be stayed. The money must be paid to the Plaintiff or its Attorney-at-Law.



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**KARIN M. THOMPSON**  
Attorney-at-Law for the Plaintiff

**THIS WRIT OF SUMMONS AND STATEMENT OF CLAIM IS FILED** by Karin M. Thompson, Attorney-at-Law, P.O. Box 1708 GT, Cayman Shipping Centre (Second Floor), George Town, Grand Cayman, Cayman Islands, Attorney-at-Law for the Defendant herein whose address for service is that of its said Attorney-at-Law.

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**ACKNOWLEDGE OF SERVICE**  
**OF WRIT OF SUMMONS**

If you intend to instruct an Attorney to act for you, give him this 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.

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2. State whether the Defendant intends to contest the proceedings (*tick appropriate box*)

Yes

No

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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

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Service of the Writ is acknowledged accordingly.

(Signed) \_\_\_\_\_

[Attorney] for: \_\_\_\_\_

[Defendant in person] \_\_\_\_\_

Address for service: \_\_\_\_\_

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**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 case of a limited company, "residence" means its registered or principle 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.*

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