

IN THE GRAND COURT OF THE CAYMAN ISLANDS

643 ✓  
CAUSE NO. OF 2003

BETWEEN:

CAYMAN NATIONAL BANK LTD.

PLAINTIFF

AND:

ALBERTO BRYAN

DEFENDANT

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WRIT OF SUMMONS

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TO: Alberto Bryan, PO Box 720GT, 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 service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495 GT, 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.

**NOTE** - This Writ may not be served later than 4 calendar months beginning with the date of issue unless renewed by order of the Court.

**Issued** this 2<sup>nd</sup> day of October 2003.

**IMPORTANT**

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

See overleaf for particulars of Plaintiff's claim.

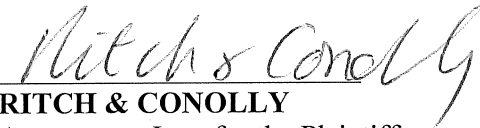
**STATEMENT OF CLAIM**

1. The Plaintiff is a Bank carrying on business at its branch at Elgin Avenue, PO Box 1097, Grand Cayman, and elsewhere, and the Defendant is and at all material times, has been a customer of the Plaintiff at the said branch.
2. The Defendant is indebted to the Plaintiff on his loan account number 014-02021 in the sum of CI\$2,992.89 with interest in the sum of CI\$518.87 outstanding to the date of issue of these proceedings.
3. Interest is payable at the agreed rate of 10.25% per annum from the date the account became delinquent, 12<sup>th</sup> November 2001 to the commencement of these proceedings.
4. The Plaintiff has made written demand for repayment of the debt by letter from its Attorneys, Ritch & Conolly, dated 15<sup>th</sup> May 2003 but the Defendant has failed to repay the said sum or any part of it.

**AND THE PLAINTIFF CLAIMS AGAINST THE DEFENDANT:-**

1. Payment of the said sum of CI\$2,992.89;
2. Interest on the sum of CI\$2,992.89 at the rate of 10.25% per annum which amounts to a daily figure of CI\$.85 from the date the account became delinquent (12<sup>th</sup> November 2001) until the date of issue of these proceedings in the sum of CI\$530.77 and continuing from this date until payment at the said daily rate of CI\$.85.
3. Fixed costs in the sum of CI\$250.00 together with the fee payable for issuing this Writ in the sum of CI\$150.00
4. Further or other relief.

Dated the 2<sup>nd</sup> day of October 2003

  
**RITCH & CONOLLY**  
Attorneys at Law for the Plaintiff

This Writ of Summons was issued by Ritch & Conolly, Attorneys-at-Law, for and on behalf of the Plaintiff herein whose address for service is Fourth Floor, Queensgate House, South Church Street, PO Box 1994 GT, Grand Cayman.

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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

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 judgement 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

*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 by plaintiff if suing in person) of his name, address and reference, if any, in the box below*

Messrs. Ritch & Conolly PO Box 1994 GT Grand Cayman  Ref: RJH/CNB-Debts/Bryan #8751
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*Endorsement by defendant's Attorney (or by defendant if suing in person) of his name, address and reference, if any, in the box below*

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