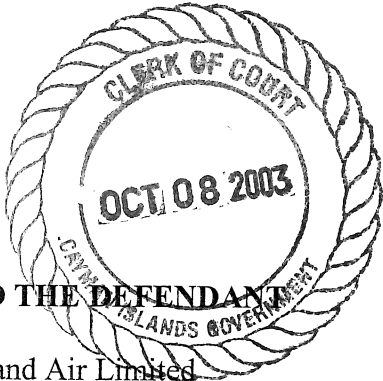


IN THE GRAND COURT OF THE CAYMAN ISLANDS

650 ✓  
CAUSE NO. OF 2003

BETWEEN AIR TRANSPORT LICENSING AUTHORITY PLAINTIFF

AND: ISLAND AIR LIMITED DEFENDANT



WRIT OF SUMMONS

TO THE DEFENDANT

Island Air Limited  
P.O. Box 2433 GT  
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            **th October 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**

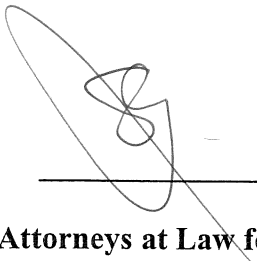
Directions for Acknowledgment of Service are given with the accompanying form.

The Plaintiff's claim is for:

1. a declaration that:
  - (a) The Defendant as the holder of a licence granted by the Air Transport Licensing Authority ("the Authority") must, in order to comply with section 14 of the Air Transport (Licensing of Air Service) Regulations 1977 ("the Regulations"), seek the prior approval of the Authority before introducing any charges other than those in effect prior to 1<sup>st</sup> October 2003.
  - (b) The holder of a licence granted by the Authority who fails to seek prior approval for the introduction of any charges, types of aircraft or frequency other than those in effect when such licence came into effect, has acted contrary to section 14 of the Regulations.
  - (c) On or about 1<sup>st</sup> October 2003 the Defendant increased the price of its tickets by US\$5.75 per ticket without the prior approval of the Authority.
2. An injunction to restrain the Defendant by himself or by his agents or servants or otherwise howsoever from introducing fares at a price higher than that at which such fares were charged prior to the increase referred to in paragraph 1(c) above until such time as prior approval to increase the said fares is granted by the Authority pursuant to section 14 of the Regulations and that the Defendant do issue a public statement confirming that no increase in fares has occurred. This statement must take the form of a prominent advertisement in The Caymanian Compass, to be published within 96 hours.
3. An order that the Defendant do forthwith:
  - (a) Retract all communications made by it to any third party notifying the third party of a fare increase and to provide copies of all retractions to the Authority.
  - (b) Reimburse all customers (or agents thereof) who have paid the fare increase.

4. Costs.

5. Further and/or other relief.



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**CAMPBELLS**  
**Attorneys at Law for the Plaintiff**

THIS WRIT is filed by Campbells., Attorneys at Law for the Plaintiff herein, whose address for service is 4<sup>th</sup> Floor, Scotiabank Building, George Town, Grand Cayman.(STM/10987)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

650  
CAUSE NO. OF 2003

BETWEEN AIR TRANSPORT LICENSING AUTHORITY PLAINTIFF

AND: ISLAND AIR LIMITED DEFENDANT

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ACKNOWLEDGEMENT OF SERVICE  
OF WRIT OF SUMMONS

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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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2. 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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3. State whether the Defendant intends to contest the proceedings (*tick appropriate box*)  
 yes  no

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4. 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  no  N/A

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Service of the Writ is acknowledged accordingly

**Address for service:**  
CAMPBELLS  
ATTORNEY -AY -LAW  
P.O.BOX 884 GT  
GRAND CAYMAN  
CAYMAN ISLANDS REF: STM/MDJ/10987

**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.*

<b>Campbells Attorneys at Law PO Box 884 GT George Town Grand Cayman</b>

*Indorsement 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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**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE**  
**OF WRIT OF SUMMONS**

1. The accompanying form of *Acknowledgment of Service* should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person

After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495, George Town, Grand Cayman

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

*See over for notes for guidance*

## 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.