

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 690 OF 2003 ✓

BETWEEN:

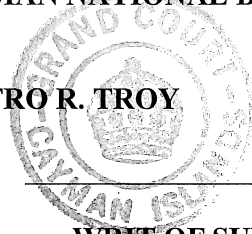
CAYMAN NATIONAL BANK LIMITED

PLAINTIFF

AND:

KASTRO R. TROY

DEFENDANT



WRIT OF SUMMONS

TO: Kastro R. Troy, PO Box 10247 APO, 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 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 21st day of October 2003.

**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.

**IMPORTANT**

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

## STATEMENT OF CLAIM

1. The Plaintiff is a Bank carrying on business at its branch at Elgin Avenue, Grand Cayman and the Defendant is a customer of the Plaintiff.
2. The Defendant is indebted to the Plaintiff on his Loan Account #014-05003 in the principal sum of CI\$14,080.44.
3. Pursuant to the promissory note and loan agreement between the Plaintiff and the Defendant dated 12<sup>th</sup> January 2001, the principal and interest accrued shall become payable forthwith upon demand by the Plaintiff and interest shall be charged on the outstanding daily balance of the loan from the date the account became delinquent, 28<sup>th</sup> August 2001, at a rate of 6% per annum above the Cayman Islands Dollar prime rate, presently 10.25%.
4. The total amount of interest claimed as at the date of these proceedings is CI\$2,961.49 and interest will continue to accrue until payment of the debt at a daily rate of CI\$4.01.
5. The Plaintiff made a written demand by letter from its attorneys dated 2<sup>nd</sup> September 2003 but the Defendant has failed to repay the sum outstanding or any part of it.

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

1. Payment of the said sum of CI\$14,080.44.
2. Interest on the said sum as aforesaid of CI\$2,961.49 and continuing from the date of these proceedings until payment at a rate of 10.25% per annum, a daily sum of CI\$4.01.
3. Fixed costs in the sum of CI\$500.00 together with the fee payable for issuing this Writ in the sum of CI\$190.80
4. Further or other relief.

Dated the 21<sup>st</sup> day of October 2003



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

If, within the time limited for returning the Acknowledgement of Service the Defendant pays the amount claimed to the Plaintiff or its attorneys further proceedings will be stayed.

**TO:** The Clerk of the Court  
**AND TO:** The Defendant of PO Box 10247 APO, Grand Cayman

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. <sup>690</sup> OF 2003

BETWEEN:

CAYMAN NATIONAL BANK LIMITED

PLAINTIFF

AND:

KASTRO R. TROY

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.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

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

Yes

No

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Service of the Originating Summons is acknowledged accordingly.

(Signed) .....

[Attorney] for

[Defendant in person]

Address for service:

***Notes on address for service***

Attorney: where the Defendants are 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.

**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 \_\_\_\_\_. A Defendant may not act by a foreign attorney.

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*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: CNB/9194

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