

IN THE GRAND COURT OF THE CAYMAN ISLANDS

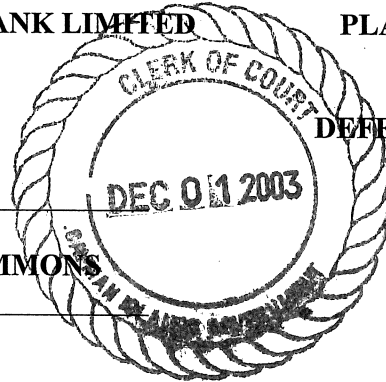
773  
CAUSE NO. OF 2003

BETWEEN:

CAYMAN NATIONAL BANK LIMITED PLAINTIFF

AND:

LEON DILBERT DEFENDANT



WRIT OF SUMMONS

TO: Leon Dilbert, General Delivery, 162A Old Man Bay, North Side 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.

**ISSUED** this 28<sup>th</sup> day of November 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. On 25<sup>th</sup> August 1999 the Plaintiff loaned to the Defendant the sum of CI\$17,800.00 on loan account number 014-04555.
3. The loan became delinquent on 30<sup>th</sup> September 2002 and the Defendant is indebted to the Plaintiff in the principal sum of CI\$12,543.21.
4. In addition to the outstanding principal sum interest has accrued to the date of these proceedings at an annual rate of 8% in the sum of CI\$1,300.91. Interest will continue to accrue from the date of these proceedings at an annual rate of 8%, a daily sum of CI\$2.79.
5. The Plaintiff made a written demand by letter from its attorneys dated 26<sup>th</sup> August 2003 but the Defendant has failed to repay the sum outstanding or any part of it.

### AND THE PLAINTIFF CLAIMS:-

1. Payment of the said sum of CI\$12,543.21.
2. Interest on the said sum to the date of these proceedings in the sum of CI\$1,300.91 and interest continuing from the date of these proceedings until payment at an annual rate of 8%, a daily sum of CI\$2.79.
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 28<sup>th</sup> day of November 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, General Delivery, 162A Old Man Bay, North Side  
Grand Cayman

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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 Judgement 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 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/9181

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

[Empty box for defendant's attorney endorsement]