

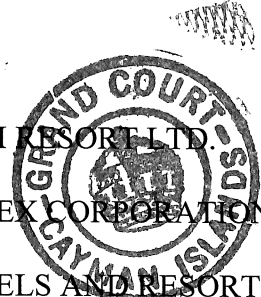
IN THE GRAND COURT OF THE CAYMAN ISLANDS

790  
CAUSE NO: OF 2003

BETWEEN: HAROLD KEPPNER PLAINTIFF

AND: (1) GALLEON BEACH RESORT LTD.  
(2) COLUMBIA SUSSEX CORPORATION  
(3) STARWOOD HOTELS AND RESORTS WORLDWIDE, INC.  
(4) DANIEL SZYDLOWSKI

DEFENDANTS



**WRIT OF SUMMONS**

TO: Galleon Beach Resort Ltd, registered office: Myers & Alberga, P.O. Box 472GT, One Regis Place, Fort and Mary Streets, Grand Cayman, Cayman Islands

AND TO: Columbia Sussex Corporation, 207 Grand View Drive, Fort Mitchell, Kentucky, KY 4101, USA

AND TO: Starwood Hotels and Resorts Worldwide, Inc., 1111 Westchester Avenue, Whiteplains, New York, NY 10604, USA

AND TO: Daniel Szydlowski, c/o Westin Casuarina Resort & Spa, P.O. Box 30620SMB, West Bay Road, Grand Cayman, Cayman Islands

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, PO Box 495G, 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 this 4<sup>th</sup> day of December 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.


## STATEMENT OF CLAIM

The Plaintiff claims damages for personal injuries suffered resulting from an accident on the premises known as the Westin Casuarina Resort & Spa located at Seven Mile Beach, West Bay Road, Grand Cayman, Cayman Islands which is owned and/or operated and/or maintained and/or managed by the Defendants.

AND THE PLAINTIFF claims:

1. Damages
2. Interest pursuant to Section 34 of the Judicature Law or any other statute, on the amount found to be due to the Plaintiff at such rate and for such period as the Court thinks fit
3. Costs, if any.

Dated this 4<sup>th</sup> day of December, 2003

  
\_\_\_\_\_  
Turner & Roulstone  
Attorney-at-law for the Plaintiff

THIS WRIT was issued by Turner & Roulstone, Attorneys-at-Law for the Plaintiff whose address for service is Strathvale House, North Church Street, George Town, Grand Cayman, Cayman Islands.

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DEFENDANTS

**ACKNOWLEDGMENT 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 Delay may result in judgment being entered  
directions and notes for guidance against a Defendant whereby he may have to  
carefully before completing this form. If pay the costs of applying to set it aside.  
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 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:

*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 o, 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.*

Turner & Roulstone  
Attorneys-at-Law  
P.O. Box 2636GT  
Strathvale House  
North Church Street  
George Town  
Grand Cayman  
Ref: DEN/OM/as/0058-0001

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