

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 407 OF 1996

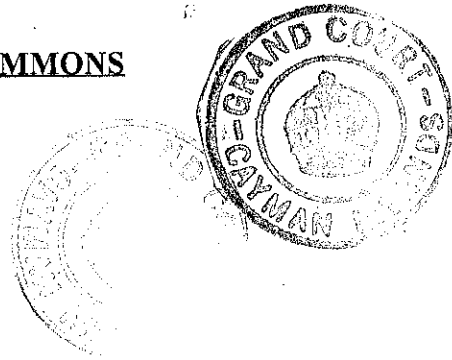


BETWEEN: CLAUDETTE THOMPSON PLAINTIFF

AND: ORRETT CONNOR FIRST DEFENDANT
LISA GALBRAITH (LISA PEPPER) SECOND DEFENDANT

WRIT OF SUMMONS

To: Orrett Connor
And to: Lisa Galbraith (Lisa Pepper)
Grand Cayman.



THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of a claim set out the next page.

Within fourteen (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, P.O.Box 495G, 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 the 7th day of August, 1996.

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 Acknowledgement of Service are given with the accompanying form.

General Endorsement

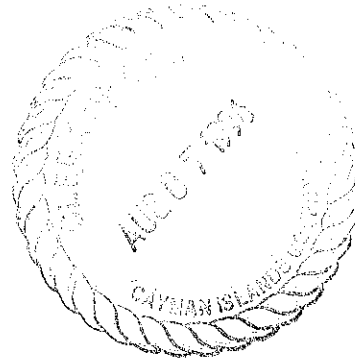
The plaintiff's claim is for damages for personal injuries and consequential loss or damage caused by the negligent driving of the **Second Defendant** on the 23rd day of October, 1993 at about 1:45 p.m. in the district of Savannah in Grand Cayman.

The plaintiff also claims costs and interest.

Dated this 7th day of August, 1996.

NW

Neville W. Levy & Associates



This Writ was issued by Neville W. Levy & Associates, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of the Thompson Building in George Town, Grand Cayman P.O.Box 2178.



STATEMENT OF CLAIM

1. On the 23rd day of October, 1993, at about 1:45 P.M. the plaintiff was standing by the gate of Ms. Harilyn Bodden in Savannah when the **Second Defendant**, driver of a BMW Motor Car, Registration No. 42747 and owned by the **First Defendant**, lost control of the said car which spun around in the road then veered off striking the plaintiff who was off the road.

2. The said accident was caused by the **negligence** of the **Second Defendant** as servant or agent of the First Defendant.

PARTICULARS OF NEGLIGENCE

1. Driving at excessive speed.
2. Attempting to overtake when it was unsafe to do so.
3. Failing to steer, manage or control the said motor car so as to avoid striking the said plaintiff

By reason of the aforesaid, the plaintiff has suffered severe injuries and pain and loss and damage.

PARTICULARS OF INJURIES

The plaintiff who was born on the 29th day of September, 1957 suffered the following injuries:-



- a. Three broken ribs;
- b. Severe fracture of the lateral tibial plateau of the right leg;
- c. Deep laceration to the right leg;
- d. Cut to the right heel;
- e. Cuts and bruises; and
- f. The plaintiff has 30% of permanent/partial physical impairment to the right limb.

- g. The plaintiff will rely upon the medical evidence to detail the full extent of his injuries.

PARTICULARS OF DAMAGES

A. SPECIAL DAMAGES

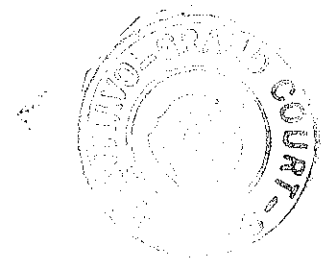
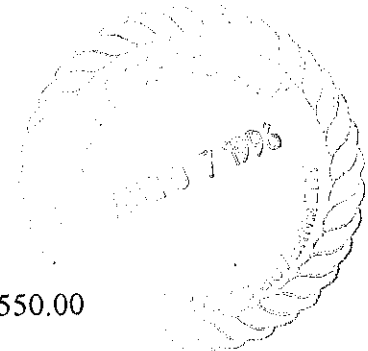
- i. Medical (bills numbered a to p) delivered to Motor & General on the 24th April, 1996 JA\$17,550.00

- ii. Travel expenses (bills numbered 1 to 16) delivered to Motor & General on the 24th April, 1996 JA\$10,900.00

- Total JA\$ 28,450.00

- = Approxi CI\$750.00

- iii. Medical Certificate from Dr. Stuart CI\$400.00



Total		CI\$1,150.00
iv. Immediate Medical Operation Required		
Estimated cost	JAS\$4,300.00 or	CI\$1,218.00 approxi
v. Future Medical Operation Required		
Estimated cost	US\$20,000.00 or	CI\$16,800.00
vi. Loss of Wages from 23rd October, 1993 to 8th August, 1996 = 145 weeks at CI\$120.00 per week		CI\$17,400.00 minus
Interim Payment		CI\$ 9,000.00
Balance due		CI\$8,400.00
<u>Total Special Damage</u>		<u>CI\$27,568.00</u>

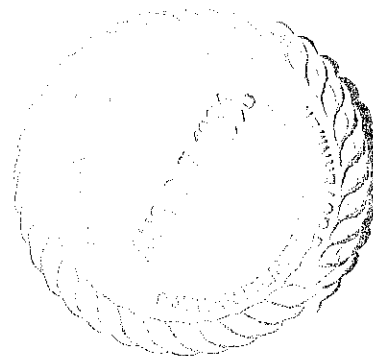
AND THE PLAINTIFF CLAIMS

i. **DAMAGES:-**

a. **Special:**

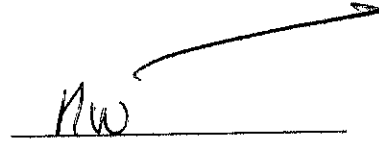
b. **General**

ii. **Interest**



iii. Costs

Dated this 7th day of August, 1996.



Neville W. Levy & Associates



Filed by Neville W. Levy & Associates, Attorneys at Law for and on behalf of the Plaintiff herein whose address for service is that of the said Attorneys at the Thompson Building in George Town, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 407/96

BETWEEN: **CLAUDETTE THOMPSON** PLAINTIFF
AND: **ORRETT CONNOR** FIRST DEFENDANT
LISA GALBRAITH (LISA PEPPER) SECOND 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.**

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. **Orett Connor and Lisa Galbraith (Lisa Pepper)**
2. State whether the Defendants intend to contest the proceedings. (tick "yes" or "no")
3. State whether the Defendants intend to apply for a stay of execution judgement entered by the Plaintiff. (tick "yes")

Service of the Writ is acknowledged accordingly

Signed:

Attorney for First Defendant

First Defendant in person.



Address for service:

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.

Neville W. Levy & Associates
Thompson Building, George Town.
P.O. Box 2178.

Indorsement by Defendants' Attorneys (or by defendant if suing in person) of his name, address and reference , if any, below.

