

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 28 OF 2004 ✓

BETWEEN: NORWIN LEE ARONFELD PLAINTIFF

AND: CHERRY ANN MUNROE DEFENDANT

WRIT OF SUMMONS



TO: CHERRY ANN MUNROE
Rockshore Drive
Raven Avenue
Spotts
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, 495GT, George Town, Grand, Cayman, the accompanying Acknowledgement of Service stating 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 judgement may be entered against you forthwith without further notice.

Issued this day of 2004.

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.

ENDORSEMENT AS TO INSURANCE OF MOTOR VEHICLES

The Write includes a claim for damages arising out of the use by the Defendant of a motor vehicle on a road. The following is the name and the address of the insurer of the Defendant's vehicle.

Cayman Insurance Centre
P.O. Box 10056 APO
Cayman Business Park
Grand Cayman

STATEMENT OF CLAIM

1. At all material times, the Plaintiff was a resident of the Cayman Islands.
2. At all material times, the Defendant was the driver of a Mercedes Benz motor vehicle bearing registration number 25158.
3. At approximately 8:00 a.m. on the 6th July 2001, the Plaintiff was a pedestrian walking in an easterly direction along Raven Avenue, Spotts, Newlands in Grand Cayman when the First Defendant collided into him from behind ("the collision").
4. The collision was the result of the sole negligence and/or recklessness of the Defendant.

Particulars of Negligence

- (a) driving without due care and attention;
- (b) failing to remain in control of the vehicle;
- (c) failing to avoid the collision with the Plaintiff;
- (d) driving at such a speed so as to be unable to stop in the event of an emergency;

- (e) driving too quickly in the circumstances;
- (f) failing to keep any or any proper look out or to have any sufficient regard for pedestrians using the road;
- (g) failing to give any or any adequate warning of her approach and/or the collision;

5. On the 12th September 2001, the Defendant was sent a warning letter for careless driving in relation to this incident.

6. As a result of the Defendant's negligence, the Plaintiff has suffered personal injuries. Full particulars will be provided upon discovery.

7. The Plaintiff also claims interest at the prevailing statutory rate until payment and/or judgment.

AND THE PLAINTIFF claims:

- (a) Damages.
- (b) Interest thereon.
- (c) Costs.

Dated the 16th Day of January 2004.



CAMPBELLS

THIS WRIT was issued by Campbells, Attorneys-At-Law for the Plaintiff whose address for service is P.O. Box 884GT, Scotiabank Centre, 4th Floor, George Town, Grand Cayman

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AND: CHERRY ANN MUNROE 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 judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

2. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged -

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

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

Service of the Writ is acknowledged accordingly

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Address for service: HUNTER & HUNTER Huntlaw Building P.O. Box 190GT Grand Cayman

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.

**Campbells
Attorneys At Law
P.O.Box 884GT
Scotiabank Centre
4th Floor
Grand Cayman**

Ref: STM/MPC/10820

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