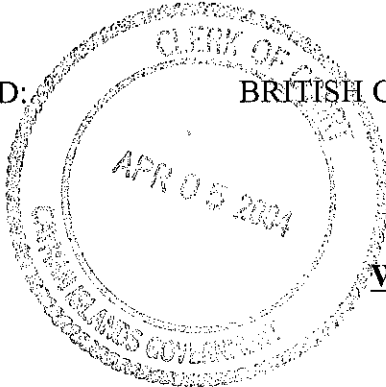


IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO 174 OF 2004

BETWEEN: DAVID ROBERT ZELLER PLAINTIFF

AND: BRITISH CAYMANIAN INSURANCE COMPANY LIMITED DEFENDANT



**WRIT OF SUMMONS**

TO: British Caymanian Insurance Company, P.O. Box 74GT, BritCay House, 236 Eastern Avenue, George Town, 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 5<sup>th</sup> day of April 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.

AND THE PLAINTIFF claims:

1. Damages for breach of a contract of insurance between the Plaintiff and the Defendant which commenced the 1<sup>st</sup> day of December, 2001;
2. An Order that the Defendant's Notice of cancellation of the contract is invalid and of no effect;
3. Interest;
4. Costs.

Turner & Roulstone  
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, 90 North Church Street, P.O. Box 2636GT, George Town, Grand Cayman, Cayman Islands.

BETWEEN: DAVID ROBERT ZELLER PLAINTIFF

AND: BRITISH CAYMANIAN INSURANCE COMPANY LIMITED DEFENDANT

**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 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.

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

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

yes

no

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

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  
Strathvale House  
90 North Church Street  
P.O. Box 2636GT  
George Town  
Grand Cayman

Ref: AD/as/0079-0001

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