

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CIVIL CAUSE NO. 172 OF 2005

BETWEEN

YRSA PARKER

PLAINTIFF

AND

ISHMAEL GRAHAM

DEFENDANT

WRIT OF SUMMONS

TO: Ishmael Graham
Crewe Road
Grand Cayman
Cayman Islands



THIS WRIT OF SUMMONS has been issued against you by the abovenamed Plaintiffs 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 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 judgment may be entered against you forthwith without further notice.

Issued this day of 2005.

NOTE – This Writ may not be served later than four (4) 4 calendar months, (or if leave is required to effect service out of the jurisdiction, six (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.

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN, GRAND CAYMAN**

CIVIL CAUSE NO. OF 2005

BETWEEN: YRSA PARKER PLAINTIFF

AND: ISHMAEL GRAHAM DEFENDANT

STATEMENT OF CLAIM


- 1. The Plaintiff is and was at all Material times the owner of premises on Crewe Road, Grand Cayman and registered in the Land Registry as Block 20D Parcel 77.**
- 2. The Defendant at the Material time was a Tenant of the Plaintiff.**
- 3. On or about October 2003 it was orally agreed between the Plaintiff and Defendant that the Defendant would rent a duplex Apartment on the Plaintiff's said premises for himself and other persons, at the rent of CIS 800:00 per month, on a monthly basis.**
- 4. In consideration of the said oral Agreement the Defendant took possession of the said premises and lives there with a girlfriend and other members of his family.**
- 5. Between the 10th and 11th September 2004 the said premises was severely damaged by Hurricane Ivan which rendered the said premises un-inhabitable and urgently in need of repairs.**
- 6. On our about 29th October 2004 the Plaintiff gave the Defendant Notice to vacate the said premises so that the Plaintiff can carry out repairs.**

7. The Defendant refuses to vacate the premises notwithstanding the Plaintiff's continued demands that he should do so.
8. Further, the Defendant is in Arrears in his rent for the premises in the amount of C1\$ 4800:00.
9. To The Best of the Plaintiff's knowledge the Defendant has his girlfriend, her child, a roommate and a son living with him in the premises.

AND THE PLAINTIFF CLAIMS.

1. Possession of the Premises.
2. The Amount of C1\$ 4800:00 by way of use and Occupation from November 2004 to April 2005.
3. Damages for trespass from November 2004 until possession be delivered up.
4. Interest on the sum and damages at the rate of 8% per annum until Judgment.
5. Cost.
6. Such Further and or other Relief the Court deem proper.

Dated this 11th day of April 2005.



A. Steve McField & Associates,
Attorney for the Plaintiff.

To: The Clerk of the Court
And to: The Defendant

This Statement of Claim was filed by A. Steve McField & Associates, Attorneys for the Plaintiff whose Address for Service is P.O. Box 680, George Town.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CIVIL CAUSE NO. 172 OF 2005

BETWEEN YRSA PARKER PLAINTIFF
AND ISHMAEL GRAHAM 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 Delay may result in judgment being directions and notes for guidance carefully entered against a Defendant whereby he before completing this form. If any may have to pay the costs of applying to information required is omitted or given set it aside. wrongly, THIS FORM MAY HAVE TO BE RETURNED.

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:

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 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.

<p>A. STEVE MCFIELD & ASSOCIATES Attorneys-at-law P.O. Box 680 GT Grand Cayman Cayman Islands</p>
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Indorsement by Defendant's Attorney (or by Defendant if suing in person) of his name, address and reference, if any, in the box below.

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