

IN THE GRAND COURT OF THE CAYMAN ISLANDS

217  
CAUSE NO. OF 2005

BETWEEN: SOUTHERN CROSS HOLDINGS

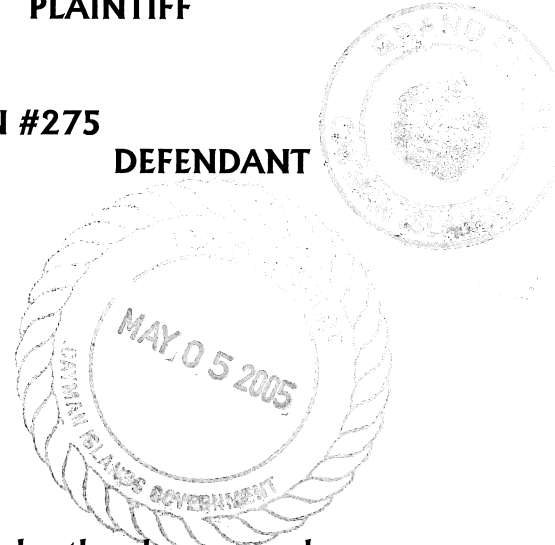
PLAINTIFF

AND: THE PROPRIETORS OF STRATA CORPORATION #275

DEFENDANT

WRIT OF SUMMONS

TO : The Proprietors of Strata Corporation #275  
P.O. Box 463 GT  
George Town  
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 Courts Office, P.O. Box 495 G, 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 25<sup>th</sup> day of April 2005.

**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.

**The Plaintiff claims against the Defendant:**

- 1. A declaration that the Executive Committee of the Defendant has not reasonably determined that the sum of US\$2,481.04 is due and owing by the Plaintiff to the Defendant pursuant to clause 6.1(c) of the Strata Corporation By-Laws of Strata Plan No. 275 (“the ByLaws”).**
- 2. A declaration that the Plaintiff is not liable to the Defendant for the sum of US\$2,481.04.**
- 3. A declaration that the formal demand notice dated 10<sup>th</sup> February 2005 from the Defendant to the Plaintiff for the sum of US\$2,481.04 is invalid.**
- 4. An injunction restraining the Defendant from taking any steps to enforce the said formal demand notice or pursuant to Article 6.1(c), 3.11(iv) or any other Article of the By-Laws.**
- 5. Declarations as to the interpretation, meaning and effects of Article 2.1 (o) of the By-Laws.**
- 6. A declaration that the Defendant is in breach of Article 2.1(o) of the By-Laws.**
- 7. Declarations as to the interpretation, meaning and effects of Articles 3.1, 3.2, 3.3, 3.4 and 14 of the By-Laws.**
- 8. Declarations as to the duties and obligations owed to the Plaintiffs by any Executive Committee appointed pursuant to Article 14 of the By-Laws.**
- 9. An injunction to compel the Defendant pursuant to Article 3.10(d), to make the books of account available for inspection by the Plaintiff or its agents various applications in writing having been made on diverse occasions between September 2004 to April 2005 by on behalf of the Plaintiff.**
- 10. Further or other relief as the Honourable Court may deem just.**

**Dated this 25<sup>th</sup> day of April 2005.**



**Waide DaCosta, LLB.  
Attorney-at-Law for the Plaintiff**

**This Writ was issued by Waide DaCosta, LLB, Attorney-at-Law for the Plaintiff whose address for service is P.O. Box 10638 APO, 29 & 30 the Strand, George Town, Grand Cayman, Cayman Islands**

217/05

**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. Delay may result in judgement being entered against a Defendant whereby he may have to pay the costs of applying to set it aside. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.**

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

2. State whether the Defendant intends to contest the proceedings (tick the 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 judgement entered by the Plaintiff (tick box).

Yes

No

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 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 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:

Waide DaCosta Attorney-at-Law, Box 10638 APO, The Strand, Suites 28 & 29, West Bay Road, Grand Cayman

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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