

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: [226] OF 2005

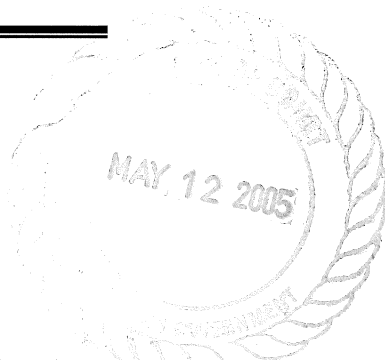
BETWEEN PROPRIETORS STRATA PLAN NO. 300 PLAINTIFF
AND ANDREW AINSWORTH CAMPBELL DEFENDANT



WRIT OF SUMMONS



TO: Mr. Andrew Ainsworth Campbell
P.O. Box 30991 SMB
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, P.O. Box 495 GT, 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 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 day of May 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 Acknowledgement of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The Plaintiff is a Strata Corporation incorporated and registered pursuant to the Strata Titles Registration Law (1996 Revision).
2. The Defendant is the registered owner of the property legally described as Prospect Block 22D Parcel 293H6 and having the civic address as No. 6 Egret Walk Development, Prospect, Grand Cayman, Cayman Islands (the "Property").
3. Pursuant to the clause 35 of the by-laws of the Plaintiff registered 18 August 2000 (the "By-Laws") and the Strata Titles Registration Law (1996 Revision), the Defendant covenanted with the Plaintiff to pay strata fees for the Property on the first day of each month, and interest at a minimum of 12 % per annum on any fees not paid within 14 days of demand for payment.
4. As at 1st May 2005, the Defendant was indebted to the Plaintiff in the sum of CI\$12,441.00, being arrears of strata fees and interest due in respect of the Property, particulars of which have already been provided to the Defendant.
5. Despite numerous demands by the Plaintiff and its attorneys, the Defendant has failed to pay all of the strata fees and interest thereon due in respect of the Property.

AND THE PLAINTIFF claims:

1. The sum of CI\$ 12,441.00;
2. Interest on the said sum at the rate prescribed pursuant to Section 34 of the Judicature Law (1995 Revision) or at such other rate as may be prescribed under the said Law from time to time;
3. Costs to be taxed;
4. Such further and other relief as the Court deems fit.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of CI\$ 12,441.00 (including interest and costs) further proceedings will be stayed. The money must be paid to the Plaintiff or his Attorney.

Solomon Harris

SOLOMON HARRIS
PLAINTIFFS ATTORNEYS-AT-LAW

THIS WRIT was issued by SOLOMON HARRIS of 2nd Floor, FirstCaribbean House, P.O. Box 1990 GT, Grand Cayman, Cayman Islands, Attorneys-at-law for and on behalf of the Plaintiff whose address for service is that of its said Attorneys-at-law.

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

1. The accompanying form of *Acknowledgment of Service* should be completed by an Attorney acting on behalf of the Defendant or by the Defendant acting in person.

After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defense must be served within 14 days after the time for acknowledgment service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claims is not indorsed on the Writ, the Defense need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defense within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

See over for notes for guidance

Please complete overleaf

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words “sued as [THE NAME STATED ON THE WRIT OF SUMMONS]”
4. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description Partner in the firm of ([])” after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description “trading as ([])” after his name.
6. Where the Defendant is a Limited Company the form must be completed by an Attorney or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: [226] OF 2005

BETWEEN PROPRIETORS STRATA PLAN NO. 300 PLAINTIFF
AND ANDREW AINSWORTH CAMPBELL 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 Respondent 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 Originating Summons is being acknowledged.

2. State whether the Defendant intends to contest or otherwise participate in 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 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.

Solomon Harris
P.O. Box 1990GT
2nd Fl, Barclays House
George Town, Grand
Cayman, Cayman Islands
Ref:LH/SG
Tel: 949 0488

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