

IN THE GRAND COURT OF THE CAYMAN ISLANDS

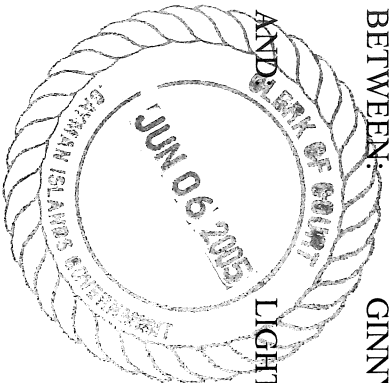
CAUSE NO 255 OF 2005

BETWEEN: GINNY HAENEL

PLAINTIFF

AND: LIGHTHOUSE PROPERTIES LIMITED.

DEFENDANT



WRIT OF SUMMONS

TO: Lighthouse Properties Limited, P. O. Box 31074 SMB, Grand Cayman, Cayman Islands and also c/o International Corporate Services Limited, P. O. Box 472 GT, 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 3rd day of June, 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.

STATEMENT OF CLAIM

1. The Plaintiff is a United States citizen who is a former resident of Grand Cayman.
2. The Defendant is a Cayman Islands company which at all relevant times was the proprietor of property known as George Town Central Block 14BH Parcel 89 which is an area of approximately 0.5 acres (“the Property”).
3. At approximately 3:30 p.m. on February 11, 2005 the Plaintiff was shopping in downtown George Town. After crossing South Church Street to visit the Harley Davidson store the Plaintiff was walking on the sidewalk which is part of the Property. The Plaintiff fell after stepping on an uneven circle of bricks inlaid into the sidewalk of the Property. As a result of her fall the Plaintiff has suffered serious injuries.
4. The Plaintiff’s injuries were caused as a result of the negligence of the Defendant;

PARTICULARS OF NEGLIGENCE

- a) The Defendant failed to maintain the sidewalk on the Property to an adequate standard and the sidewalk on the Property is a danger to the public;

- b) The Defendant inlaid bricks in three stone circles on the sidewalk on the Property and these three brick circles which are on the main part of the sidewalk on the Defendant's property are a danger to the public;
- c) The Defendant failed to repair the three brick circles on the Property and these three brick circles continue to be a danger to the public walking on the sidewalk on the Property;

5. As a result of the Defendant's negligence the Plaintiff has sustained serious injuries as follows:

PARTICULARS OF INJURY

- a) The Plaintiff's right foot was fractured.
- b) The Plaintiff's left ankle was badly sprained.
- c) The Plaintiff received scratches and bruises to her body and legs as a result of her fall.
- d) The Plaintiff was unable to bear the pain caused to her right foot and left ankle and on the evening of February 11, 2005 she attended Dr. Steve Tomlinson at the Chrissie Tomlinson Memorial Hospital. Both of the Plaintiff's feet were x-rayed. A plaster cast was put on the Plaintiff's right foot and her left ankle was wrapped in an ace bandage. The Plaintiff was prescribed pain medication and told to stay in bed for the next 48 hours with her feet elevated and iced during this period.
- e) The Plaintiff was planning to leave the Cayman Islands permanently shortly after this accident happened and as a result of this accident the Plaintiff required special assistance to travel from the Cayman Islands to

the United States and she also required to take up residence within a convalescent home for a period after her return to the United States as she is a single woman and was at the time unable to take care of her personal needs as a result of her injuries.

f) For several weeks after her accident the Plaintiff could not walk and required to use a wheelchair to move around.

6. As a result of the injuries she sustained the Plaintiff has suffered loss and damage.

PARTICULARS OF LOSS AND DAMAGE

The Plaintiff has suffered special damages, full details of which are not yet available but those details which are available as of the date of this Writ are attached hereto as appendix 1.

7. Further the Plaintiff claims general damages in respect of her pain and suffering.

8. Further the Plaintiff claims interest to be assessed upon such damages as may be awarded pursuant to the Judicature Law (2004 Revision).

AND THE PLAINTIFF claims:

1. Damages.
2. Interest pursuant to the Judicature Law (2004 Revision)
3. Costs.

Dated this 3rd day of June, 2005

Turner & Roulstone

TURNER & ROULSTONE
Attorneys-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.

APPENDIX 1

Preliminary Schedule of Losses

As a result the accident on February 11, 2005

1.	Taxi (van) to and from emergency room	80.00
2.	X-rays in emergency room	281.25
3.	Emergency room visit and cast	200.00
4.	Pain killers, cream and Ace band-aid	29.00
5.	Rental of wheelchair for one week	55.00
6.	Miscellaneous telephone calls to the United States to cancel previous arrangements and make new arrangements to go into hospital in Las Vegas	150.00
7.	IMP Agency as Plaintiff unable to walk. Costs to help pack to move personal items back to United States	1,250.00
8.	Cost of sending 15 boxes Fed Ex as they did not get packed in time for the sea freight because the Plaintiff was in a wheelchair	1,967.77
9.	Fee to change return flight to United States	75.00
10.	Hire cost of taxi to the airport as the Plaintiff could not fit in a regular car due to her injuries	40.00
11.	24 hour care at convalescent/rehab hospital/one month stay at the Heights of Summerlin	5,580.00
12.	One hour massage on feet and legs 22 February, 2005	85.00
13.	Orthopaedic Surgery – (Dr. Ong), X-rays and first office visit – approximate cost	600.00
14.	Physical Therapy Evaluation	250.00
15.	Summerlin Hospital Medical CE	240.90
16.	Physical Therapy – One Hour	200.00
17.	One hour massage on feet and legs 2 March, 2005	85.00
18.	X-ray – Portable X-ray of Nevada	258.00
19.	Electric wheelchair rental at hospital	160.00

20.	Socks to cover sprained ankle	63.43
21.	One hour massage on legs and feet 5 March, 2005	85.00
22.	Physical Therapy – One Hour	200.00
23.	One hour massage on legs and feet 8 March, 2005	85.00
24	Physical Therpay – One Hour	200.00
25.	X-rays and visit with orthopedic doctor, Dr. Ong	2,010.72
26.	Dr. Mike Jeong - admittance to Nursing Home and other visits	485.00
27.	Dr. Mike Jeong - LTC Discharge	85.00
28.	Rental of wheelchair and walker	145.46
29.	Gasoline for drive from Las Vegas to California and return back in SUV	124.99
30.	Hired driver to take Plaintiff to a doctor's appointment	60.00
31.	One hour massage on feet and legs 18 March, 2005	100.00
32.	Purchase of cane to assist with walking	26.88
33.	One hour massage on feet and legs 22 March, 2005	100.00
34.	Hired driver to pick up business partner Dick Kirsgalvis at Los Angeles Airport and drive him to Palm Springs	225.00
35.	Rental of electric wheelchair for trade show	170.00
36.	Pain pills, swelling cream in hospital	123.37
37.	Hired costs to move UPS boxes from one condo to another-because of accident the Plaintiff did not arrive in Palm Springs at planned time and had to stay in 2 separate condos	100.00
38.	Hired driver to take business partner back to the Los Angeles Airport	225.00

39. Office visit to get medical form filled out and signed for Department of Motor Vehicles for handicapped placard for car 55.00
40. Consult Orthopediatric doctor in California 9 new x-rays of both feet (estimate) 500.00
41. Handyman hired to do all lifting and moving of boxes for Plaintiff in her new home as she is not allowed to lift anything heavy 1,500.00
42. Physical Therapy and massage on both legs and feet – several in April and May, 2005 1,500.00
43. Summerlin Hospital Medical CE 604.45
44. Hired David Torrez to take away empty cardboard boxes from move and to dump site to dispose – 2 trips 400.00

BETWEEN: GINNY HAENEL

PLAINTIFF

AND: LIGHTHOUSE PROPERTIES 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 Delay may result in judgment being entered directions and notes for guidance against a Defendant whereby he may have to carefully before completing this form. If pay the costs of applying to set it aside. any information required is omitted or given 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:

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.

Turner & Roulstone
Attorneys-at-Law
Strathvale House
90 North Church Street
P.O. Box 2636GT
Grand Cayman
Ref: AT/as/0250-0001

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

Acknowledgement of service of Writ of Summons (O.12, r.3)

**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 if 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 Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence 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 defence 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 instalments or otherwise.

See over for notes for guidance

Please complete overleaf

Notes for Guidance

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 authorised 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.