

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



292
CAUSE NO. OF 2004

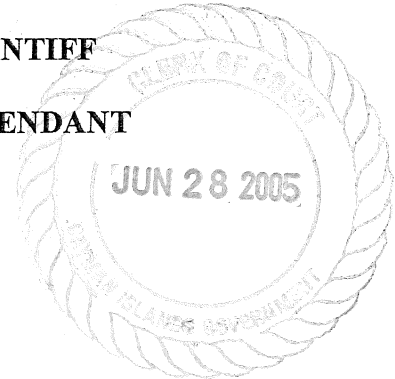
Legal Aid 18/04

BETWEEN: DORA ANNE EBANKS

PLAINTIFF

AND: ANNIE MAE EBANKS

DEFENDANT



WRIT OF SUMMONS

TO: ANNIE MAE EBANKS
158 FOUNTAIN ROAD, West Bay
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. 495 G.T., 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 28th 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 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. At all material times the Plaintiff was employed as a nanny and was a neighbour and cousin of the Defendant.
2. That at all material times the Defendant was employed at the Cayman Islands Turtle Farm.
3. That on or about 19th July, 2002 at Fountain Road, West Bay the Defendant and attacked the Plaintiff and stabbed her in the chest causing a puncture wound to her lungs. As a result the Plaintiff was hospitalized and suffered pain and suffering.
4. As result of the Defendant's actions, the Plaintiff sustained severe injury, and suffered further loss and damage.

AND THE PLAINTIFF CLAIMS:

- a. Damages
- b. Special Damages for medical costs and loss of wages.
- c. Interest
- d. Such further and other relief.
- e. Costs



MCKINNEY REID & COMPANY
Attorneys-at-Law for the Plaintiff

TO: The Clerk of the Court

AND TO: **ANNIE MAE EBANKS**
158 FOUNTAIN ROAD, West Bay
Grand Cayman, Cayman Islands
(works at the Turtle Farm)

Acknowledgment 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

Service of the Petition is acknowledged accordingly

Dated: _____

Defendant

Defendant's Attorney

This Writ of Summons is filed by McKinney Reid and Company, Attorneys-At-Law, 201 Elizabethan Square, P.O. Box 1573 G.T., George Town, Grand Cayman, B.W.I.

Notes on address for service

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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 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.

Indorsement by the Plaintiff's attorney (or by the Plaintiff if suing in person) of his name and address in the box below.

McKinney Reid and Company
Attorneys-At-Law
201 Elizabethan Square
P.O. Box 1573 G.T.
George Town Grand Cayman

Indorsement by Defendant's attorney (or by the Defendant if acting in person) of his name and address in the box below.

[Empty box for Defendant's attorney indorsement]

This Writ of Summons is filed by McKinney Reid and Company, Attorneys-At-Law, 201 Elizabethan Square, P.O. Box 1573 G.T., George Town, Grand Cayman, B.W.I.