

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 362 OF 2005

BETWEEN:

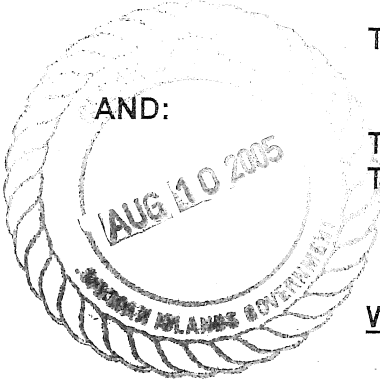
TENNSON BODDEN

PLAINTIFF

AND:

THE ATTORNEY GENERAL OF
THE CAYMAN ISLANDS

DEFENDANT



WRIT OF SUMMONS

TO: The Attorney General of the Cayman Islands
c/o Legal Department
Ansbacher House
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 of Summons on you, counting the day of service, you must either satisfy the claim or return to the Courts Office, P.O. Box 495, 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 August, 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 the order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

INDORSEMENT

The Plaintiff's claim is for damages for personal injury to the Plaintiff and loss and expense incurred by the Plaintiff by reason of the negligence and/or breach of contract of the Government of the Cayman Islands ("Government") by its servants or agents.

The injury, loss and expense occurred in the following circumstances: -

1. The Plaintiff was at all material times employed as a security officer by Government pursuant to a contract of employment dated 7th September 2001.
2. At all material times, the Plaintiff was employed to patrol George Hicks High School (the "school") to ensure the safety and security of the students.
3. On 20th August 2002, the principal of the school asked the Plaintiff to move a three-hundred pound box from one area of the school, to another area. Such a task was normally assigned to the school's grounds-men or the public works men and was clearly not within the scope of the Plaintiff's responsibilities as a security officer.
4. The Plaintiff and a fellow security officer complied with the principal's request despite the principal's failure to provide them with the proper machinery to move the box or safety equipment, such as back braces or such additional assistance as may be appropriate.
5. As a result, the Plaintiff suffered severe back injuries, for which he had to receive extensive medical treatment, including various x-rays, ultra-sounds and MRIs. Ultimately, the Plaintiff had to undergo surgery in July of 2004. Although the plaintiff has experienced significant improvement following the surgery and has regained the ability to walk, a number of his toes remain numb.
6. In the premises, the Plaintiff has suffered loss and damage, full particulars of which will be contained in a separate Statement of Claim.
7. The Plaintiff has been in correspondence with Cayman Orthopaedic Group, Chrissie Tomlinson Memorial Hospital and the Education Department with respect to this claim.

[N.B. The above particulars are given in compliance with Order 77, r.3 of the Grand Court Rules].

AND the Plaintiff claims:

1. Damages.

2. Further or other relief.
3. Interest pursuant to section 34 of the Judicature Law (2004 Revision) and the Judgment Debt (Rate of Interest) Rules 1995 (as amended).
4. Costs.

Charles Adams Ritchie & Duckworth
CHARLES ADAMS, RITCHIE & DUCKWORTH

THIS WRIT was issued by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law, for and on behalf of the Plaintiff herein, whose address for service is that of their said Attorneys-at-Law, P.O. Box 709GT, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I.

BETWEEN: TENNISON BODDEN PLAINTIFF
AND: ATTORNEY GENERAL OF DEFENDANT
 THE CAYMAN ISLANDS

**ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

Important. Read the accompanying direction 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 Defendant 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 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
Address for Service:

Notes on address for service

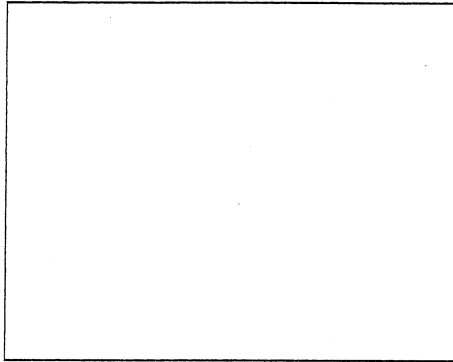
Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

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 or principal office.

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

Charles Adams, Ritchie &
Duckworth
PO Box 709
Mary Street, Zephyr House
George Town,
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.



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 Amended 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.