

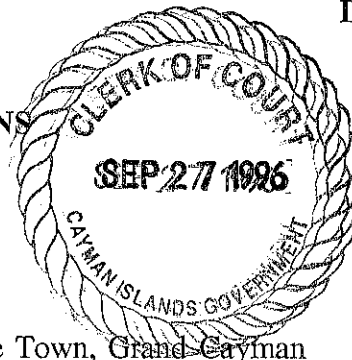
IN THE GRAND COURT OF THE CAYMAN ISLANDS

Cause No. 499 of 1996

BETWEEN: Peter Lewis
(the intended Personal Representative
of the Estate of
Virginia Domingo Sales, deceased) **Plaintiff**

AND: (1) Karen Sunita Balram
(2) Island Pharmacy Ltd. **Defendants**

WRIT OF SUMMONS



To: Karen Sunita Balram
of George Town, Grand Cayman

And to: Island Pharmacy Ltd.,
of A. Steve McField & Associates, George Town, Grand Cayman

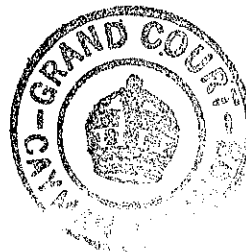
THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

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 Court Office, P.O. Box 495 G, 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 Acknowledgment within the time state, of 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 26th day of September 1996 .

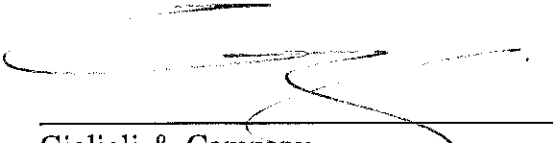
NOTE - This Writ may not be served later that 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue unless renewed by the order of the Court.



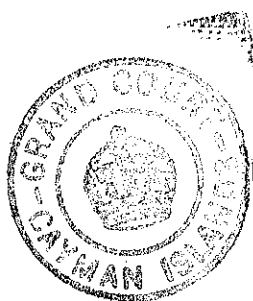
IMPORTANT

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

The Plaintiff's claim is for damages under: (a) the Law of Torts Reform Law [R], including bereavement, for the benefit of the deceased's dependants; and (b) the Estates Proceedings Law (1995 Revision), for the benefit of the deceased's estate following her death on the 29th day of September, 1995, caused by the negligence and/or breach of statutory duty and/or breach of contract of the Defendants, their servants or agents, at West Shore Centre, West Bay Road, Grand Cayman and interest thereon pursuant to the Judicature Law (1995 Revision) and the Judgment Debts (Rates of Interest) Rules 1995 and 1996.



Giglioli & Company
Attorneys-at-Law for the Plaintiff



THIS WRIT was issued by Giglioli & Company whose address for service is 3F, Bank of Nova Scotia Building, George Town, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 499 OF 1996

BETWEEN: Peter Lewis
(the intended Personal Representative
of the Estate of
Virginia Domingo Sales, deceased) Plaintiff

AND: (1) Karen Sunita Balram
(2) Island Pharmacy Ltd. Defendants

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. 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

[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 the 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.

**Giglioli & Company
3rd Floor, BNS Building,
P. O. Box 1316 G,
George Town,
Grand Cayman.**

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

[Empty box for defendant's attorney indorsement]



NO. 8

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.

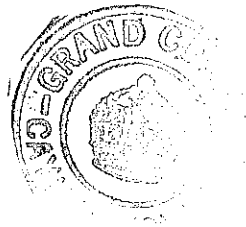
If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

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 any 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 used 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.

