

**IN THE GRAND COURT OF THE CAYMAN ISLANDS**

**BETWEEN:**

**WALTER HERRMANN**

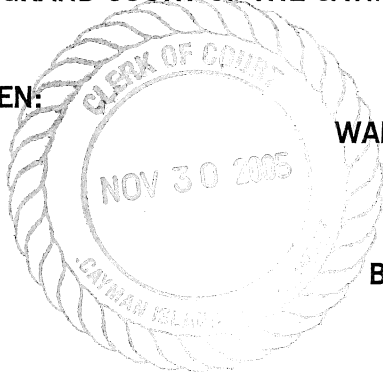
**553**  
**CAUSE NO: OF 2005**

**AND:**

**BRENT GREENE**

**PLAINTIFF**

**DEFENDANT**



**WRIT OF SUMMONS**

**TO: Brent Greene  
P.O. Box 199 NS  
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 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 30<sup>th</sup> day of November, 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 an individual currently residing in the United States of America.
2. The Defendant is a resident of the Cayman Islands.
3. The Plaintiff loaned the Defendant the sum of US\$382,885.00, under four promissory notes dated 7<sup>th</sup> September 2000, 1<sup>st</sup> December 2000, 15<sup>th</sup> March 2001 and 6<sup>th</sup> February 2002. It was agreed that the money loaned to the Defendant by the Plaintiff would be repaid by way of instalments.
4. The Defendant has repaid the total sum of US\$274,687.91 leaving the sum of US\$108,197.09 still payable. The Plaintiff has made numerous requests for repayment (most recently, by a letter dated 14<sup>th</sup> April 2005, sent through his Attorney-at-Law) but these requests have gone unanswered.
5. As at the 30<sup>th</sup> November 2005, the amount due and outstanding by the Defendant to the Plaintiff is \$108,197.09 plus interest thereon.

### **AND THE PLAINTIFF CLAIMS:**

1. The sum of US\$108,197.09;
2. Pre-judgment interest thereon at the rate of 9% per annum calculated from the dates of the four promissory notes to the date of issue of the Writ.
3. Post-judgment interest thereafter pursuant to Section 34 of the Judicature Law (1999 Revision).
4. Costs.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed, further proceedings will be stayed. The money must be paid to the Plaintiff's Attorneys whose address for service is set out below.

  
Charles Adams Ritchie & Duckworth  
Attorneys-at-Law for the Plaintiff

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 P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

553  
CAUSE NO: OF 2005

BETWEEN:

WALTER HERRMANN

PLAINTIFF

AND:

BRENT GREENE

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 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	no
-----	----

---

Service of the Writ is acknowledged accordingly

(Signed).....  
Attorneys for the Defendant

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.

Charles Adams, Ritchie & Duckworth  
PO Box 709 GT  
Zephyr House, Mary Street  
George Town, Grand Cayman  
DWC/0301/700

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

[Empty box for Defendant's Attorney indorsement]