

**Writ of Summons (O.6, r.1)**

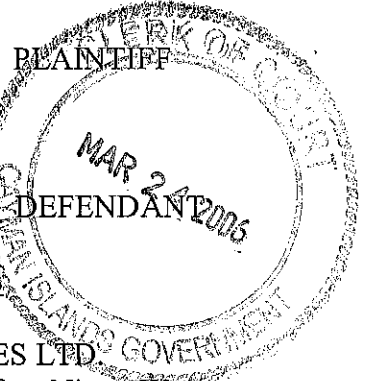
IN THE GRAND COURT OF THE CAYMAN ISLANDS  
HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO. 15 OF 2006



BETWEEN

MONALISA MORGANBERRY-KUDRITZKI



AND:

CAYMAN ARMoured COURIER SERVICES LTD.

SPECIALLY ENDORSED WRIT OF SUMMONS

TO THE DEFENDANT: CAYMAN ARMoured COURIER SERVICES LTD  
DEFENDANT, c/o Island Electronics Group, P.O. Box 881 GT, 90 Godfrey Nixon Way,  
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, P.O. Box 495GT, 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        day of March 2006.

NOTE - This Writ may not be served later than 4 calendar 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. On 10 November 2004, the defendant, so negligently drove a motor van along Goring Avenue towards the intersection with Walkers Road, that it collided with the rear of the Plaintiff's motor vehicle registration number Q2 988.
2. The Plaintiff was traveling along Goring Avenue and had stopped at the intersection with Walkers Road in her motor vehicle and whilst waiting to join that road the Defendant who was traveling in the same direction failed to stop and drove into the rear of the Plaintiff's motor vehicle.

## **PARTICULARS OF NEGLIGENCE**

- (a) Driving too fast in the circumstances.
  - (b) Failing to keep any or any proper look-out or to have any or sufficient regard for other traffic, particularly traffic that was expected to be at the junction of these particular roads.
  - (c) Failing to stop or to wait in the road until the Plaintiff had joined Walkers Road and thus made her manoeuvre in safety.
  - (d) Failing to see the Plaintiff in sufficient time to avoid colliding with her stationary vehicle or at all.
  - (e) Running into the rear of the motor vehicle.
  - (f) Failing to stop, to slow down, to swerve, or in any other way so to manage or control the motor van so as to avoid the collision.
3. By reason of the matters aforesaid, the Plaintiff sustained personal injuries and has suffered loss and damage.

## **PARTICULARS OF INJURIES**

The Defendant's date of birth is 12 November 1961. Following the accident on 10 November 2004, the Plaintiff did not lose consciousness but suffered injuries, which included a whiplash-type symptom in her neck and upper thoracic region.

## **PARTICULARS OF SPECIAL DAMAGE**

Date	Description	Costs (CIS)
10 November 2004 ongoing	Chiropractor - medical expenses	CIS\$3,781.50
10 November 2004 to June 2005	Loss of income (8 months)	CIS\$48,000.00

AND the Plaintiff claims:

- (i) Damages
- (ii) Further, pursuant to The Judicature Law (1995 Revision), the Defendant is entitled to and claims interest on such sums as are found to be due at such rate and for such period as the Court shall think fit.
- (iii) Costs

*C. H. Allen*

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WOODWARD TERRY & COMPANY

THIS WRIT was issued by Clyde H. Allen whose address for service is Woodward Terry & Company, Attorneys-At-Law PO Box 822 GT, Jack & Jill Building, Fort Street, Grand Cayman, Cayman Islands, BWI.

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

W  
CAUSE NO. OF 2006

BETWEEN

MONALISA MORGANBERRY-KUDRITZKI

PLAINTIFF

AND:

CAYMAN ARMoured COURIER SERVICES LTD.

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.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

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2. State whether the Defendant intends to contest the proceedings (*tick appropriate box*)

yes       no

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3. If the claim against the Defendant is for a debt or a 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

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Service of the Writ is acknowledged accordingly

(Signed).....

[Attorney] for

Address for service: (please see overleaf)

*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.*

C. H. Allen  
Woodward Terry & Company  
Attorneys-At-Law  
PO Box 822 GT  
Jack & Jill Building  
Fort Street  
Grand Cayman  
Cayman Islands

*Indorsement by 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]