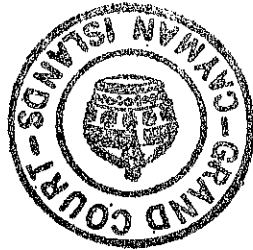


IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 212 OF 2006

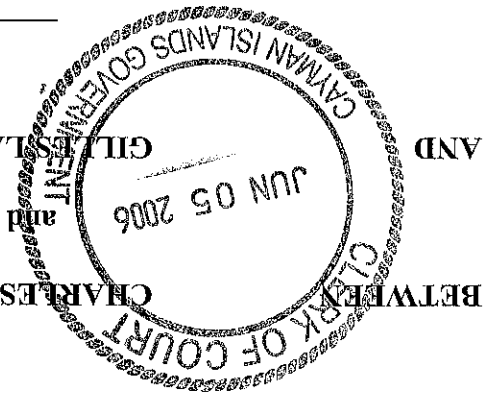
PLAINTIFF

DEFENDANT



CHARLES MOUGEOT

GILLES LANGLOIS



AND

Gilles Langlois  
44 Sherwood Drive  
Industrial Estate  
Grand Cayman

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

**Within 14 days** after service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Courts Office, P.O. Box 495 GT, George Town, Grand Cayman, the accompanying Acknowledgement of Service form stating whether you intend to contest these proceedings.

**If you fail** to satisfy the claim or fail to return the Acknowledgement of Service form within the time stated or if you return the Acknowledgement of Service form 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 any further notice to you.

Issued this 2nd day of June 2006

**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.

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**GENERAL INDOORSEMENT**

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The Plaintiff's claims are for:

1. The Defendant's breaches of contracts for the investment of monies by the Plaintiff in the Defendant's business pursuant to contracts made between the Plaintiff and the Defendant dated 22<sup>nd</sup> July 2004 and April 2005;

2. The Defendant's breaches of a building contract for the construction of the Plaintiff's house by the Defendant pursuant to a contract dated on or about August 2004;

3. Injurious and malicious falsehoods made by the Defendant about the Plaintiff made in or about and between September 2005 and the date of this Writ which continue;

The said causes of action arise out of the same facts and circumstances and the Defendant is liable in the same capacity in respect of all of the causes of action pursuant to GCR Order 15, r.1.

**AND** the Plaintiff claims:

- A. Under Claim 1, above: Damages, an Account and Restitution of monies had and received;
- B. Under Claim 2 above: Damages, an Account of monies had and received and an Order for Specific Performance of the said building contract alternatively damages;

This Generally Endorsed Writ of Summons was filed by Associated Advocates Chambers, Attorneys-at-Law for the Plaintiff whose address for service is that of his attorneys-at-Law at #196 Shelden Road, George Town, Grand Cayman.

AND to: The Defendant

To: Clerk of the Court  
Courts Office

Associated Advocates Chambers  
Attorneys-at-Law for the Plaintiff

*Associated Advocates Chambers*

Dated the 2nd day of June 2006

Order 18, r.1.

Full, further and better particulars of the Plaintiff's claims herein will be contained in the Statement of Claim to be served on the Defendant herein in accordance with GCR

C. Under Claim 3. above: Damages and an Injunction to restrain the Defendant from uttering the said injurious and malicious falsehoods;

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 212 OF 2006

BETWEEN CHARLES MOUGEOT PLAINTIFF

AND GILLES LANGLOIS DEFENDANT

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. Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside. If any information required is omitted or given wrongly, **THIS FORM MAY HAVE TO BE RETURNED.**

1. State the 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 the 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 the appropriate box. ( ) yes ( ) no

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 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 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:

Associated Advocates Chambers  
Attorneys-at-Law  
FIS Building  
#196 Sheddin Road  
George Town  
Grand Cayman

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

DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE  
OF WRIT OF SUMMONS

1. The accompanying form of Acknowledgement 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 495 GT, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgement 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 of "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 Acknowledgement of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgement, 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 Acknowledgement 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 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.