

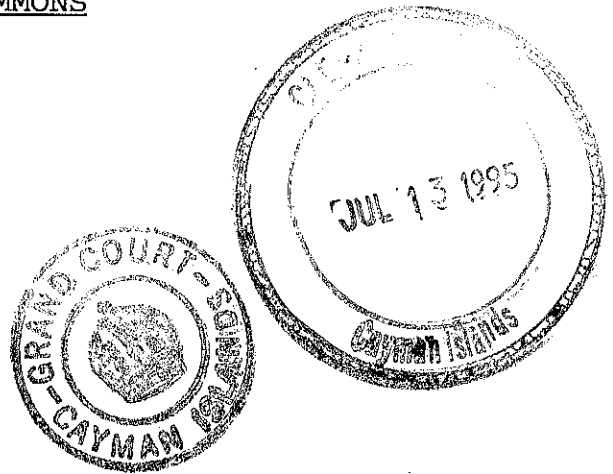
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 304 OF 1995

BETWEEN: COMMODITY MARKETING & SUPPLY LTD. PLAINTIFF
AND: HELEN CLARKE DEFENDANT

WRIT OF SUMMONS

TO: Helen Clarke
c/o Immigration Department
P.O. Box 1098
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 of Summons on you, counting the days 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.

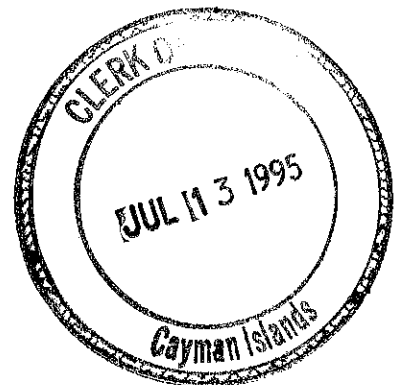
If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 13th day of July 1995.

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.

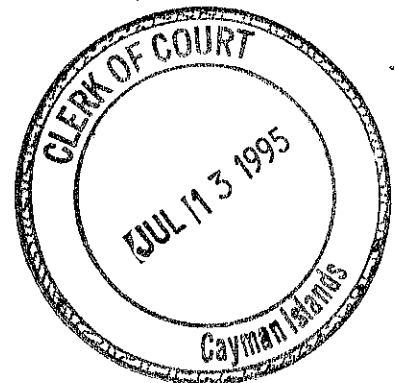
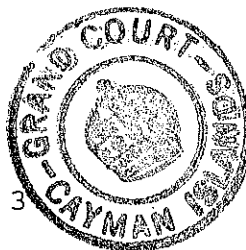


STATEMENT OF CLAIM

The Plaintiff's claim is against the Defendant for CI\$2,097.31 being the overdue balance on account in respect of goods supplied to the Defendant by the Plaintiff pursuant to a credit agreement.

PARTICULARS

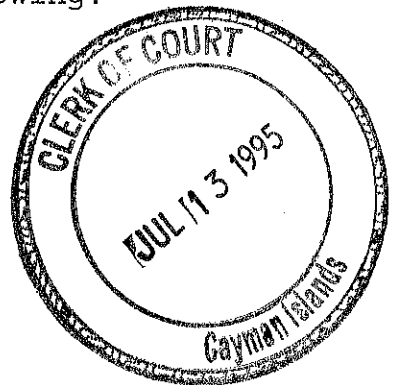
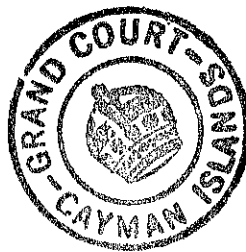
1. The Plaintiff is a wholesaler and retailer of, inter alia, hotel and restaurant supplies. It is incorporated and licensed to carry on business in the Cayman Islands having its place of business at North Sound Road, George Town, Grand Cayman.
2. The Defendant is a person legally resident in the Cayman Islands whose address for service is c/o Immigration Department, P.O. Box 1098, George Town, Grand Cayman.
3. By agreement the Plaintiff allowed the Defendant to credit supplies; payment for the said goods, to be made by the Defendant on a monthly basis unless otherwise agreed.



4. In pursuance of the said agreement referred to in paragraph 3 hereof, the Plaintiff delivered goods to the Defendant totalling CI\$2,097.31.
5. In accordance with the said agreement the Plaintiff periodically presented for payment, statements of account reflecting the various goods supplied to the Defendant up to the date of issue of the statement.
6. The Defendant has failed to make payment in accordance with the agreement in that she has made no payment on the various statements of account presented to her.
7. Full particulars of the Plaintiff's claim herein have already been delivered to the Defendant by the Plaintiff and the Plaintiff's attorney and despite these requests the full amount of CI\$2,079.31 is still due and owing.

AND THE PLAINTIFF CLAIMS:-

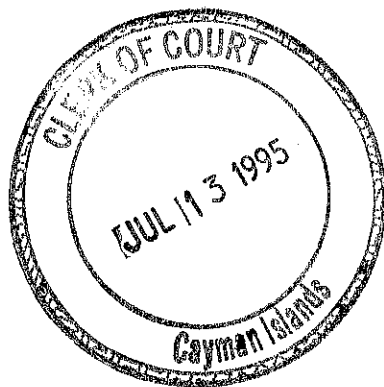
1. The sum of CI\$2,079.31;
2. Interest thereon pursuant to Section 62 (1) of the Judicature Law at the rate of 8 3/8 % per annum from the date of judgment until satisfaction.



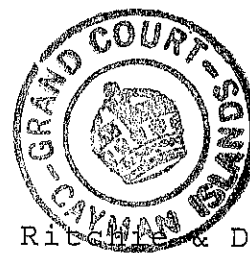
3. Fixed costs pursuant to Order 62 Rule 1 (b) of the Grand Court Rules, 1995 of CI\$250.00 together with costs of filing this Writ.

If, within the time for returning the Acknowledgement of Service, the Defendant pays the total amount claimed of CI\$2,097.31 plus interest and costs further proceedings will be stayed. The money must be paid to the Plaintiff or his attorney.

Dated this ^{thirteenth} 13 day of July 1995.



Charles Adams Ritchie & Duckworth
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

CAUSE NO. OF 1995

BETWEEN: COMMODITY MARKETING & SUPPLY LTD. PLAINTIFF

AND: HELEN CLARKE 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

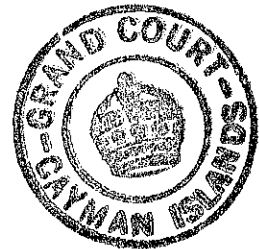
Service of the Writ is acknowledged accordingly

(Signed) _____

[Attorney] for

[Defendant in person]

Address for service:



Please complete overleaf

Notes on address for service

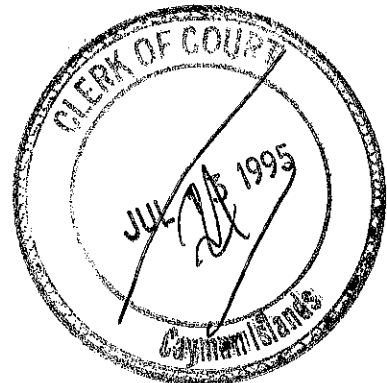
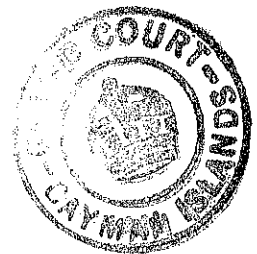
Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

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 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
Attorneys-at-Law
P.O. Box 709
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.



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 to the Law Courts, P.O. Box 495, 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.

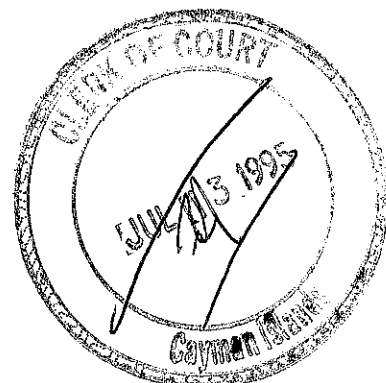
If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

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 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 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 installments 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 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.

