

IN THE GRAND COURT OF THE CAYMAN ISLANDS

Cause No. **549** of 1996

BETWEEN **LAURICE FRASER**

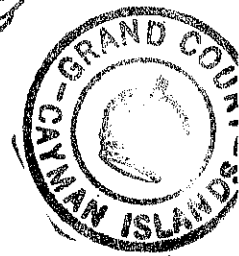
AND **MARSHALL JACKSON**

1st PLAINTIFF

2nd PLAINTIFF

WRIT OF SUMMONS

TO: MARSHALL JACKSON
 c/o Marshall's Rent-a-Car
 Airport Plaza
 Airport Road
 George Town



THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim endorsed hereon,

Within fourteen (14) days after the service of this Writ, including the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495 G.T., 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 of Service 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 **18th** day of **October** 1996.

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

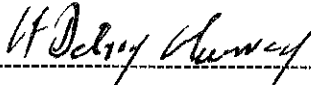
IMPORTANT

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

ENDORSEMENT

The Plaintiff claims against the Defendant to recover damages as a consequence of the Defendant on the 27th day of August 1995 negligently causing motor vehicle registered 22 575, owned and driven by the Defendant, to violently collide with motor vehicle registered 56 994, owned and driven by the Plaintiff, along the West Bay Road, in the vicinity of Plantation Village and the Treasure Island Hotel, George Town, Grand Cayman thereby occasioning damage and loss to the Plaintiff.

Dated the 18 day of October 1996.



Plaintiff's Attorneys-at-Law



FILED by H. Delroy Murray, Attorney-at-Law, for and on behalf of the Plaintiffs whose address for service is that of their said Attorney-at-Law, 4th Floor Zephyr House, Mary Street, George Town, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

Cause No. 549 of 1996

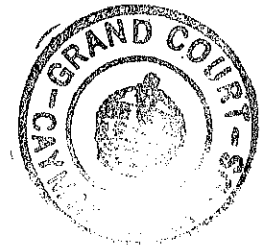
BETWEEN LAURICE FRASER

PLAINTIFF

AND MARSHALL JACKSON

DEFENDANT

ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS



If you intend to instruct any 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 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 box*)
yes []

Service of the Writ is acknowledged accordingly

(Signed) _____

[Attorney] for

[Defendant in person]

Address for service

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 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.

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

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

IN THE GRAND COURT OF THE CAYMAN ISLANDS

Cause No. 54⁹ of 1996

BETWEEN LAURICE FRASER

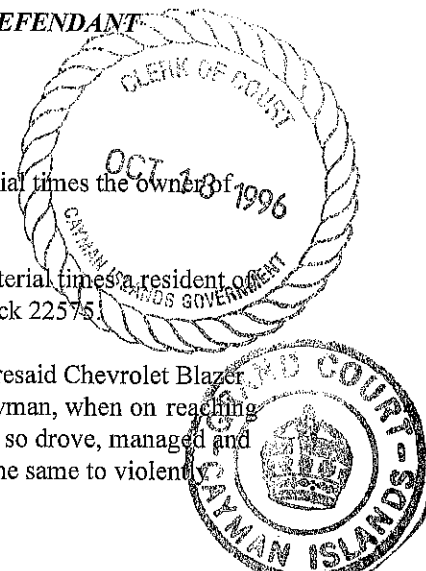
PLAINTIFF

AND MARSHALL JACKSON

DEFENDANT

STATEMENT OF CLAIM

1. The First Plaintiff is a resident of the Cayman Islands and was at all material times the owner of and passenger in Chevrolet Blazer motor vehicle registered 56 994.
2. The Defendant to the best knowledge of the Plaintiffs is and was at all material times a resident of the Cayman Islands and was at all material times the owner of Nissan Truck 22575.
3. On or about the 27th day of August 1995 the Plaintiff was driving the aforesaid Chevrolet Blazer motor vehicle 56 994 along the West Bay Road, George Town, Grand Cayman, when on reaching the vicinity of Treasure Island Hotel and Plantation Village the Defendant so drove, managed and controlled the aforesaid Nissan Truck 22575 that he caused or permitted the same to violently collide with the Plaintiff's motor vehicle.



Particulars of Negligence of Second Defendant

- (a) Failing to keep any or any proper look out or to have any or any sufficient regard for the users of the said road;
 - (b) Driving the said Nissan Truck 22575 without paying any or any sufficient regard to the conditions of the road and the traffic thereon;
 - (c) Failing to exercise or to maintain any or any sufficient or adequate control of the said Nissan Truck 22575;
 - (d) Overtaking on the said West Bay Road at a time when it was unsafe so to do;
 - (e) Crashing into Chevrolet Blazer 56 994;
 - (f) Failing to stop, to slow down, to swerve or in any other way so to manage or control the said Nissan Truck 22575 so as to prevent the said collision.
7. That by reason of the matters aforesaid the First Plaintiff has suffered loss and damages.

Particulars of Special Damages

(a)	Loss of motor vehicle	CIS 23,000.00
(b)	Loss Adjusters Report	CIS 110.00
(c)	Traffic Accident Report	CIS 25.00
(d)	Accident Reconstruction Report	CIS 2050.00
(e)	Moneys paid to Defendant under mistake of fact	<u>CIS 24,897.98</u>
	TOTAL	CIS 50,008.98

AND THE PLAINTIFF CLAIMS

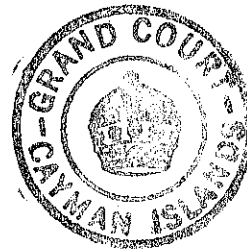
- (A) The sum of CI\$50,008.98
- (B) Damages.
- (C) Costs
- (D) Interest at the Statutory rate

(E) Further and/or other relief.

Dated the 18 day of October 1996
Filed the 6 day of October 1996

H. Delroy Murray

H. Delroy Murray
Attorney-at-Law for the Plaintiff



FILED by H. Delroy Murray, Attorney-at-Law, for and on behalf of the Plaintiffs whose address for service is that of their said Attorney-at-Law, 4th Floor Zephyr House, Mary Street, George Town, Grand Cayman.