

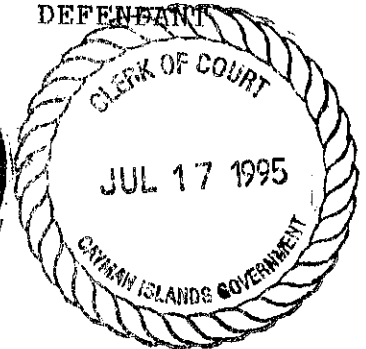
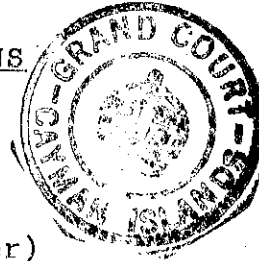
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 306 OF 1995

BETWEEN: MARGELY EBANKS - PLAINTIFF

AND: LERNA HOLNESS - DEFENDANT

WRIT OF SUMMONS



TO: Ms. Lerna Holness
C/O Port Authority
(works on dock as a Taxi Driver)

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 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

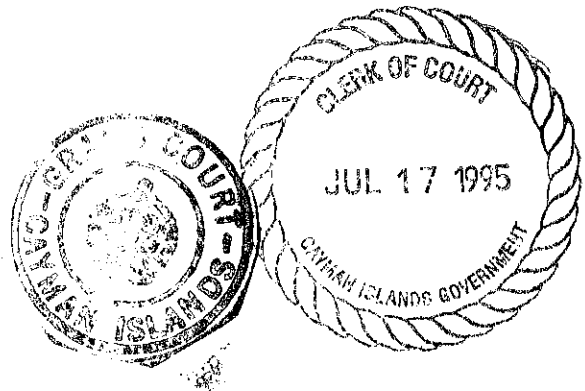
judgement may be entered against you forthwith without further notice.

Issued this 17th day of July, 1995.

NOTE - This Writ may not be served later than 4 calendar months

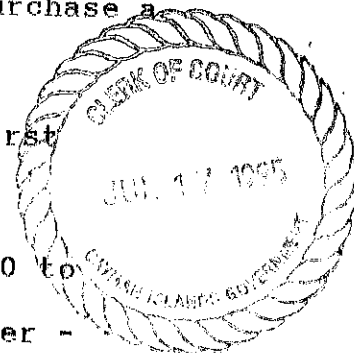
IMPORTANT

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



STATEMENT OF CLAIM

1. The Plaintiff is a Civil Servant and is the sister of the Defendant.
2. The Defendant is a Taxi Driver who resides in West Bay Grand Cayman.
3. Sometime in October, 1994 the Plaintiff agreed to stand as a personal guarantor for the Defendant in relation to a loan which the Defendant obtained in the sum of CI\$4,500.00 which amount was borrowed by the Defendant in order to purchase a taxi van. The Plaintiff used, as security for the Defendant's loan, her funds which she had at the First Cayman Bank.
4. The Plaintiff further loaned the Defendant \$3,000.00 to cover her personal expenses over the period September - November, 1994, after she had met with a vehicle accident.
5. It was an expressed term of the verbal agreement between the Plaintiff and the Defendant that the full amount of the bank loan (CI\$4,500.00), plus any accrued fees and interest, would be repaid by the end of January, 1995 from a "partner draw" which the Defendant was expecting to receive and the further \$3,000.00 would be repaid after the sale of the Defendant's van or alternatively from funds received from the insurance company of the other driver, whichever was received first.
6. After repeated demands by the Plaintiff for payment of the outstanding amount and after being threatened with legal

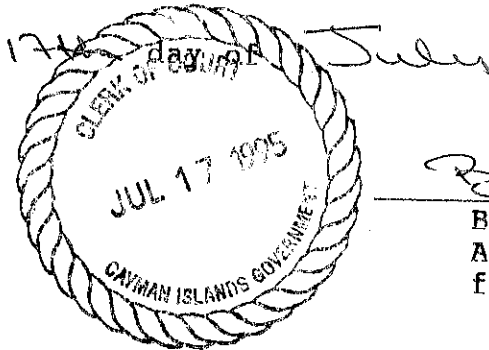


action, the Defendant made one payment of CI\$2,000.00 to the bank on the loan. However, no further payments have been made despite repeated requests by the Plaintiff for payment of same.

AND THE PLAINTIFF CLAIMS:

(i) Amount of Bank loan and interest outstanding to 13/7/95	\$2,705.45
(ii) Further personal loan to cover Defendant's expenses	\$3,000.00
	<hr/>
(iii) Interest pursuant to the Judicature Law Revised, 1995	\$5,705.45
	\$
(iv) Costs	\$
	<hr/>
	\$

Dated this



, 1995

Brooks & Brooks
BROOKS & BROOKS
Attorneys-At-Law
for the Plaintiff



PLEASE NOTE that if within the time for returning the Acknowledgement of Service (i.e 14 days) the Defendant pays the total amount owed of \$5,705.45 plus costs of CI\$500.00 and disbursements of CI\$145.00. (Total of CI\$6,350.45) further proceedings will be stayed. The money must be paid to the Plaintiff or her Attorney-at-Law.

THIS WRIT WAS ISSUED by Brooks & Brooks Attorneys-At-Law for the Plaintiff whose address for service is 2nd Floor Harbour Centre, P.O. Box 1355, George Town, Grand Cayman.



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 19
BETWEEN: MARGELY EBANKS - PLAINTIFF
AND: LERNA HOLNESS - 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. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgement 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 judgement 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

Brooks & Brooks
Attorneys-at-Law
P.O. Box 1355, G.T.,
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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. of 19

- (a) Filed on behalf of the Plaintiff
- (b) Deponent -
- (c) Affidavit # 1
- (d) Sworn on:

BETWEEN: MARGELY EBANKS - PLAINTIFF
AND: LERNA HOLNESS - DEFENDANT

AFFIDAVIT OF SERVICE

I, _____, of George Town Grand Cayman
MAKE OATH AND SAY AS follows:-

1. That I am a Bailiff of the Grand Court, of George Town, Grand Cayman.
2. That on the _____ day of _____, 1995 I did personally serve on LERNA HOLNESS, the Defendant in this matter, a sealed copy of the Writ of Summons filed in this Cause by handing same to her at _____
3. That the said LERNA HOLNESS, is known to me personally or was identified to me by _____

AND I MAKE this Affidavit in proof of service of due process upon
the Defendant.

Sworn to at George Town,
Grand Cayman this
day of , 1995
before me

BAILIFF OF THE COURT

JUSTICE OF THE PEACE

Filed by Brooks & Brooks Attorneys-at-Law for the Plaintiff whose
address for service is 2nd Floor Harbour Centre, P.O. Box 1355,
George Town, Grand Cayman.