

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

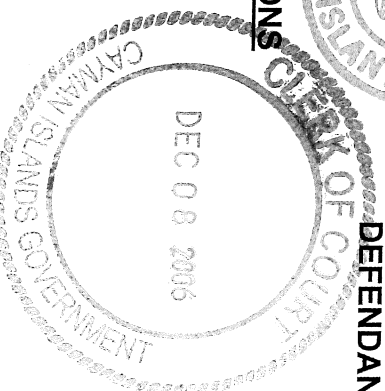
CAUSE No. 512 of 2006

BETWEEN
JEROL O'CONNOR
PLAINTIFF
AND
BARRY DEAN STROBLE
DEFENDANT



WRIT OF SUMMONS

TO: Mr. Barry Dean Stroble
71 Stadium Drive
West Bay
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 attached 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 495 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 without stating that you in tend to contest these proceedings, the Plaintiff may proceed with the action and Judgment may be entered against you forthwith without further notice.

Issued this 8th day of December, 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 herein, unless renewed by the order of the Court.

IMPORTANT: Directions for Acknowledgment of Service are given with this form.

STATEMENT OF CLAIM

1. That the Plaintiff resides in George Town, Grand Cayman and is an electrical assistant. At the material time was the plaintiff was employed with G.E. Electrical & Maintenance Services Limited.
2. That the Defendant is a resident of Grand Cayman and at the material time was employed with Paradise Construction.
3. That on or about the 15th August 2006 the Plaintiff was assigned by his employers to work on a job site on West Bay Road.
4. That the Defendant was also on the said job site at that time.
5. That the Defendant confronted the Plaintiff's wife who also worked on the site about a cut piece of wood either belonging to his company.
6. That the Defendant sought to clarify the issue with the Defendant and the Defendant became abusive and used threats of violence against the Plaintiff.
7. That after the Plaintiff turned to walk away from the discussion, the Defendant picked up a piece of 2x4 wood and hit the Plaintiff in his head causing severe injury, pain, suffering and loss of amenities.
8. That as a result of the assault and battery by the Defendant on the Plaintiff, the Plaintiff suffered losses and physical injuries;

PARTICULARS OF INJURIES

The Plaintiff who is 25 years old sustained moderate head injury with two lacerations to the scalp. One approximately 4 inches and the other approximately 2 inches. The Plaintiff continues to experience excessive headaches, loss of memory, drowsiness pain and suffering.

PARTICULARS OF PLAINTIFF'S SPECIAL DAMAGES

(a) Medical Expenses:

Medical expenses at George Town Hospital 1551.50

Outstanding Medical Bills owing to Hospital	500.00
Sub total	2051.50

(b) Loss of Income:

The Plaintiff suffered loss of income, in that he was unable to work for a period of over 1 month and furthermore, when the Plaintiff returned to work his injuries prevented him working full time and overtime as he usually did, hence the amount of hours the Plaintiff worked was also reduced, thereby reducing his income. Furthermore the Plaintiff wife Ms Tracey O' Connor was forced to take time off to care for the Plaintiff.

Plaintiff Salary average:
 15th August to 21st September 2006 2400.00

Plaintiff Loss of income: reduction in salary
 75 hours @ C1\$12.00 per hour 900.00

Spouse's loss of income
 72 hours @ C1\$9.00 per hour
 15th to 19th August 2006 648.00

time off work to take Plaintiff to Hospital
 after 19th August. (18 hrs @ C1\$9.00) 162.00

Sub Total **4110.00**

(c) Assisted Travel expenses;

That during the period of recovery the Plaintiff had to engage his wife and other Parties to take him to the hospital because of his injuries he could not drive on his own. 240.00

(a) Other losses;

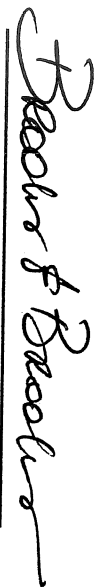
Loss of clothing	25.00
Medical Report	75.00
Police Report	10.00
Sub-total	110.00

The Special damages are continuing. In particular the Plaintiff continues to suffer and claims loss of income and future earnings. Also the Plaintiff continues to incur and claim the cost of all future medical expenses and/or care.

AND the Plaintiff claims against the defendant;

1. Special Damages C1\$6511.50
2. General Damages for pain, suffering, shock and loss of amenities.
3. Aggravated damages.
4. Interest pursuant to the Judicature law and the Grant Court rules
5. Legal Costs
6. Such further and/or other relief as may be just.

Dated this 8th day of December 2006



BROOKS & BROOKS

Attorneys-at-Law for the Plaintiff

To: **The Clerk of the Court**

And To: **BARRY DEAN STROBLE**
C/o **Paradise Construction**
71 Stadium Drive
West Bay
GRAND CAYMAN

THIS WRIT OF SUMMONS was filed by Brooks & Brooks Attorneys at law for and on behalf of the Plaintiff herein whose address for service is that of his said Attorneys One Artillery Court, Shedden Road, George Town, Grand Cayman, Cayman Islands, PO Box 1355 George Town, GRAND CAYMAN

FORM 8

Acknowledgement of Service of Writ of Summons Rule (O.12 r.3)

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF WRIT OF SUMMONS**

**IF YOU INTEND TO INSTRUCT AN ATTORNEY TO ACT FOR YOU GIVE
HIM THIS FORM IMMEDIATELY**

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 signed by the Defendant and his Attorney (if any) and 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 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 acknowledgment 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 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 money by instalments or otherwise.

See over 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 form and return it to the Courts Office.
2. For the purposes of calculating the period of 14days for acknowledging service, a summons 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 mane 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 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 of 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 someone authorised to act on behalf of the company, but the Company can take no further steps 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.

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

CAUSE No. *528* of 2006

BETWEEN

JEROL O'CONNOR

PLAINTIFF

AND

BARRY DEAN STROBLE

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 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 of Summons 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 of Summons is acknowledged accordingly.

Attorney for the Defendant

Defendant

Dated the day of 2006.

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 and address in Grand Cayman where communications for him should be sent.

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

Brooks & Brooks
Attorneys-at-Law
One Artillery Court
Shedden Road
George Town
Grand Cayman

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