

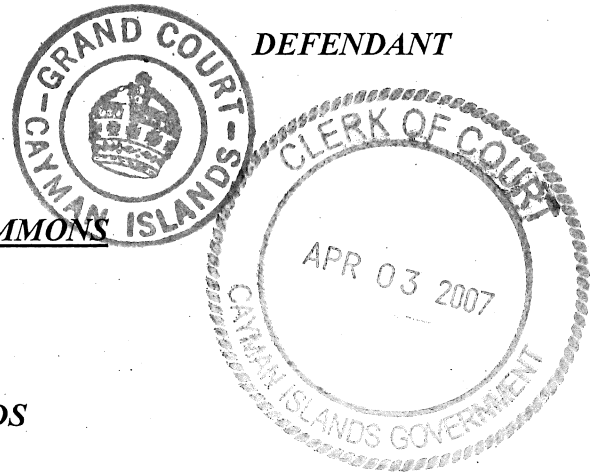
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 137 OF 2007

**BETWEEN R. DOUGLAS HILL t/a
DOUGLAS CONSTRUCTION & REPAIRS PLAINTIFF**
AND MARTIN DIAZ DEFENDANT

WRIT OF SUMMONS

**TO: MARTIN DIAZ
375 WATERCOURSE ROAD
WEST BAY
GRAND CAYMAN, CAYMAN ISLANDS**



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 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 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 3rd day of April 2007

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 Acknowledgement of Service are given with the accompanying form.

ENDORSEMENT

The Plaintiff brings this action against the Defendant to (1) recover the sum of CI\$39,000.00 being the sum owing to the Plaintiff by the Defendant in respect of a loan made to the Defendant by the Plaintiff on or about the 24th day of October 2006; (b) recover the sum of CI\$2,310.00 from the Defendant being the proceeds of cheque issued to the Defendant by the Plaintiff for the purchase of building blocks and which blocks delivered by the Defendant to the Plaintiff were subsequently discovered to be stolen property, which was recovered by its rightful owners C.L. Flowers & Sons Ltd.; (3) recover the sum of CI\$1,200.00 loaned to the Defendant on or about the 10th October 2006 to pay his electricity bill and which sum remains outstanding; (4) to recover the value of building tools loaned to the Defendant and valued at CI\$862.00; (5) to recover the value of 1999 Mitsubishi motor vehicle loaned to the Defendant and which the Defendant subsequently converted to his own use and/or has detained against the demands of the Plaintiff, the said motor vehicle having a value of approximately CI\$3,500.00; (6) to recover from the Defendant the value of Hewlett-Packard Colour Printer loaned to the Defendant and which said Printer the Defendant has converted to his own use and/or detained against the demands of the Plaintiff, the said Printer having an approximate value of CI\$350.00.

AND THE PLAINTIFF CLAIMS:

1. The total sum of CI\$47,222.50;
2. Interest at the applicable Statutory rates as detailed in the accompanying Statement of Claim;
3. Such other relief as the Court deems just and equitable in all the circumstances of this case.
4. Costs.

Dated this 2nd day of April 2007



Associated Advocates Chambers
Plaintiff's Attorneys-at-Law

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS

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 by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

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. If you wish to defend claims made in the originating summons, or intend to attend the proceedings and to participate in them so far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the acknowledgment of service.
3. 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.
4. 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 Originating Summons)".
5. 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.
6. 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.
7. 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.
8. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 137 OF 2007

BETWEEN R. DOUGLAS HILL t/a DOUGLAS CONSTRUCTION & REPAIRS PLAINTIFF
AND MARTIN DIAZ 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 name of the Defendant by whom or on whose behalf the service of this 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 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 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
Second Floor (East Wing)
Financial Integrated Services Building
196 Shedden Road
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: