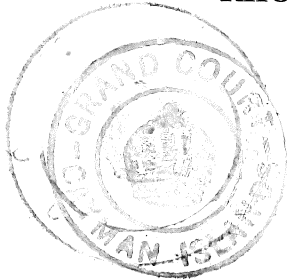


GRAND
IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

CAUSE NO. ²⁶¹ OF 2007

BETWEEN: ROYAL BANK OF CANADA PLAINTIFF

AND: RHONDA MCFIELD DEFENDANT



WRIT OF SUMMONS

TO: RHONDA McFIELD
3 Watler's Road
George Town
P.O. Box 2152 GT
Grand Cayman KY1-1105
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 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, Grand Cayman KY1-1106, Cayman Islands, 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 within the time stated, or if you return the Acknowledgment 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 day of June 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 Acknowledgment of Service are given with the accompanying form.

STATEMENT OF CLAIM


1. The Plaintiff is a Cayman Islands "Class A" licensed bank ("the Bank"), duly authorized under the laws of the Cayman Islands to *inter alia*, offer retail facilities to its customers.
2. The Defendant is and was, at all material times, a resident of the Cayman Islands and a retail customer of the Bank.
3. On 17th November 2005 the Defendant was provided a loan, as agreed and authorized by the Bank, for CI\$7,515.00, under loan account no. 331 2370 ("the Loan").
4. By a promissory note executed on 17th November 2005, the Defendant promised to pay the Bank the sum of CI\$7,515.00, with interest thereon calculated and payable monthly at a rate equal to the Bank's personal loan base rate per annum in effect from time to time, plus 3 % per annum as well as after the full maturity, default and judgment, with interest on overdue interest at the same rate as on the principle ("the Promissory Note"). The personal loan base rate was set by the Bank by 10% per annum.
5. On 16th April 2007 the Defendant was in default of payment under the Loan by a period of 387 days. The total amount outstanding under the Loan amount amounts to CI\$7,865.47. The amount of arrears outstanding totals CI\$3,698.72, with interest accruing at a daily rate of CI\$2.80.
6. Despite the Bank's demands for payment under the Loan, the Defendant has failed, refused and/or neglected to pay the amount due to the Bank.
7. The Bank is entitled to interest pursuant to the Loan at the daily rate of CI\$2.80 per day, or alternatively interest pursuant to Section 34 (1) of the Judicature Law (1995 Revision).

AND THE PLAINTIFF claims:

1. Judgment in the sum of CI\$7,865.47;
2. Pre and post interest at the daily rate of CI\$2.80 calculated from 16th April to the date of payment.
3. Late fees amount to CI\$100.00.
4. Alternatively, pre and post Judgment interest, pursuant to Section 34 of the Judicature Law (1995 Revision).
5. Costs.
6. Further and any other relief as this Honourable Court may deem appropriate.

DATED this 20th day of June 2007

FILED this day of June 2007



CAMPBELLS
Attorneys-at-Law for the Plaintiff

TO: The Defendant

AND TO: The Clerk of the Court

BETWEEN: ROYAL BANK OF CANADA PLAINTIFF

AND: RHONDA MCFIELD 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 the Defendants whereby they 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 [] no [] n/a

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 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 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.

Campbells Attorneys-at-Law P.O. Box 885 GT 4 th Floor Scotiabank Building George Town, Grand Cayman Ref: JRM/BJH/09913
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Indorsement by defendant's Attorney (or by defendant if suing in person) of his name, address and reference, if any, in the box below.

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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 by post 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

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 his 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.