

**IN THE GRAND COURT OF THE CAYMAN ISLANDS**

**CAUSE NO.** 414 **of 2007**

**BETWEEN**

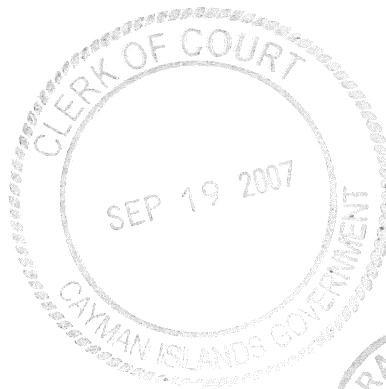
**Cayman Islands Monetary Authority**

**PLAINTIFF**

**AND**

**Bernadette Bailey-Lewis**

**DEFENDANT**



**TO:**

Strathvale House

PO Box 10387

Grand Cayman KY1-1004

Cayman Islands BWI

**THIS WRIT OF SUMMONS** has been issued against you by the above named Plaintiff in respect of the claim set out on the attached pages.

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 Courts Office, P.O Box 495. Georgetown, 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 of Service within the time stated, or if you return the Acknowledgements without stating that you intend to contest these proceedings, the Plaintiff may proceed with the action and judgement may be entered against you forthwith without further notice.

Issued this 19<sup>th</sup> day of September, 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 day of September, 2007), unless renewed by order of the Court.

**IMPORTANT**

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

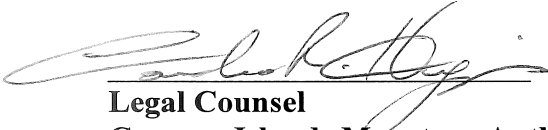
## STATEMENT OF CLAIM

1. That the Plaintiff is an individual resident in Savannah District, Grand Cayman.
2. That the Defendant is the Cayman Islands Monetary Authority, a corporate body located at Elizabethan Square, Shedden Road PO Box 10052 Georgetown, Grand Cayman KY1-1001
3. That the defendant was formerly employed by the Plaintiff as a Senior Analyst in the Compliance Division. The defendant was granted study leave to pursue an MBA in Forensic Accounting in December 2004. In addition to study leave the defendant entered into a bond agreement for financial assistance which included an undertaking that upon completion of the course she would be bonded to CIMA for a period of 3 years. The term of the financial assistance was indicated to be the payment of 50% of the defendant's annual salary for a period of 2 years, the total sum being CI\$ 52, 323.69
4. That the Defendant completed her studies in April 2006, returned to the Cayman Islands in August 2006 and was due to return to work in September 2006. The Defendant failed to return to work as expected and agreed under the terms of her bond agreement.
5. That on August 24<sup>th</sup> 2006, the Defendant tendered her resignation.
6. That the Defendant has made 'offers' to repay the aforementioned sum by monthly installments of \$400.
7. That this is extremely unreasonable given that the defendant is the party in breach, that would extend the repayment time over a period of approximately 12 years and that the repayment is without interest.
8. That the Defendant's 'offer' clearly does not recognize that the financial assistance given by CIMA was in the form of a loan to be repaid by a bonded period with the organization or the full sum of the assistance in the event of a failure to meet the terms of the Bond agreement.
9. That the defendant breached the bond agreement and failed to immediately repay the sum as per the terms of the bond agreement.
10. That the Defendant has not to date paid any money towards the total of the debt.
11. That the balance due and owing is CI \$52,323.69 which the Plaintiff seeks to recover from the Defendant.

**AND THE PLAINTIFF THEREFORE CLAIMS:**

- (a) The sum of CI \$ 52, 323.69
- (c) Costs
- (f) Attorneys costs
- (g) Any other or further relief as this Honourable Court deems just.

Dated this 19<sup>th</sup> day of September 2007.



**Legal Counsel**  
**Cayman Islands Monetary Authority**

If within the time limited for returning the Acknowledgement of Service the Defendant pays the total amount claimed, further proceedings will be stayed. The money must be paid to the Plaintiff.

THIS WRIT OF SUMMONS is filed by Legal Counsel for the Cayman Islands Monetary Authority, whose address for service is 80e Shedden Road Elizabethan Square PO Box 10052 KY1-1001 Road, George Town, Grand Cayman.

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**Cayman Islands Monetary Authority**

**PLAINTIFF**

**AND**

**Bernadette Bailey-Lewis**

**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.

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1. State the full name of the defendant by whom or on whose behalf the service of the Writ of Summons is being acknowledged

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2. State whether the Defendant intends to contest the proceedings ( tick appropriate box)

\_\_\_yes

\_\_\_no

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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 .

Service of the Writ of Summons is acknowledged accordingly.

\_\_\_\_\_  
**Attorney for the Defendant**

\_\_\_\_\_  
**Defendant**

Dated the        day of September 2007.

### Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement 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 and an attorney is not instructed, 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 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.

**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.

Legal Counsel  
Cayman Islands Monetary Authority  
George Town  
Grand Cayman KY1 1001  
345-949-7089

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

[Empty box for defendant's attorney indorsement]