

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

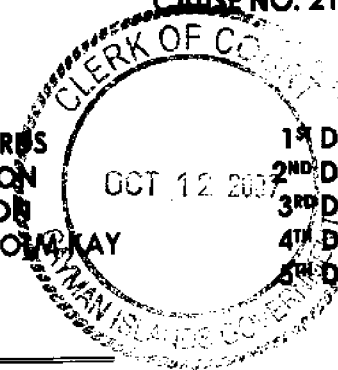
**CAUSE NO. 218 OF 2007**

**BETWEEN CHRISTOPHER McARDY MILLER**

**PLAINTIFF**

**AND DETECTIVE CONSTABLE GARFIELD EDWARDS  
AND DETECTIVE CONSTABLE CLEMENT GORDON  
AND DETECTIVE CONSTABLE ORLANDO MASON  
AND DETECTIVE SERGEANT INSPECTOR MALCOLM KAY  
AND THE ATTORNEY GENERAL**

**1<sup>st</sup> DEFENDANT  
2<sup>ND</sup> DEFENDANT  
3<sup>RD</sup> DEFENDANT  
4<sup>TH</sup> DEFENDANT  
5<sup>TH</sup> DEFENDANT**



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**AMENDED WRIT OF SUMMONS**

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- To: Detective Constable Garfield Edwards  
P.O. Box 909 GT  
Grand Cayman
- To: Detective Constable Clement Gordon  
P.O. Box 909 GT  
Grand Cayman
- To: Detective Constable Orlando Mason  
P.O. Box 909 GT  
Grand Cayman
- To: Detective Sergeant Inspector Malcolm Kay  
P.O. Box 909 GT  
George Town  
Grand Cayman
- To: The Attorney General  
Government Administration Building  
George Town  
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 next page

Within Fourteen days [14] 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 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 Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

~~Issued this 25<sup>th</sup> day of May, 2007~~

Re-issued this 12<sup>th</sup> day of October, 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.

**AMENDED GENERALLY INDORSED  
STATEMENT OF CLAIM WRIT**

The Plaintiff's Claim is for damages, aggravated damages and exemplary damages for personal injury, damage and loss sustained in police custody as a result of deliberate and malicious acts of assault and battery committed at various times and places against the Plaintiff on 27<sup>th</sup> May 2004 by the 1<sup>st</sup> Defendant, the 2<sup>nd</sup> Defendant, the 3<sup>rd</sup> Defendant and 4<sup>th</sup> Defendant, who at all material times were police officers, on duty, and in the employ of the Royal Cayman Islands Police Service. In his capacity as Attorney General, the 5<sup>th</sup> Defendant is vicariously liable for the conduct of the other defendants, who committed the assaults whilst in the course of their employment as agents of the Crown. The Plaintiff was falsely imprisoned on 27 May 2004 and as a result of malicious prosecution was further detained until finally released on Court bail in November 2004. The charges were subsequently dismissed.

The Plaintiff further claims damages, aggravated damages and exemplary damages for false imprisonment and his further detention as a result of the malicious prosecution.

**AND THE PLAINTIFF CLAIMS:**

- (a) Damages including exemplary damages and/or aggravated damages;
- (b) Interest in accordance with Section 34 of the Judicature Law (1995 Revision);
- (c) Costs.
- (d) Such further or other relief as this Court deems just.

DATED this 25<sup>th</sup> day of May, 2007

AMENDED this 12<sup>th</sup> day of October 2007

*Mourant du Feu & Jeune*

**QUIN & HAMPSON MOURANT DU FEU & JEUNE**  
**Attorneys-at-Law for the Plaintiff**

To: The Clerk of the Court  
And To: Detective Constable Garfield Edwards  
And To: Detective Constable Clement Gordon  
And To: Detective Constable Orlando Mason  
And To: Detective ~~Sergeant~~ Inspector Malcolm Kay  
And To: The Attorney General

THIS AMENDED WRIT was issued by Mourant du Feu & Jeune, Attorneys-at-Law for the Plaintiff whose address for service and correspondence is P.O. Box 1348, Third Floor, Harbour Centre, George Town, Grand Cayman, B.W.I. (ref: ND/2978-0001)