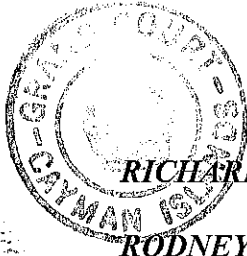


IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO. 519 OF 2007

BETWEEN RICHARD PRICE

PLAINTIFF

AND RODNEY VALLE

1st DEFENDANT

AND ENGRID MANLEY

2nd DEFENDANT

WRIT OF SUMMONS

TO: RODNEY VALLE & ENGRID MANLEY
#3 WATLERS ROAD #3 WATLERS ROAD/ OGIERS
GEORGE TOWN GEORGE TOWN
GRAND CAYMAN 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 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 day of 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 claims against the Defendants to recover damages for personal injuries and loss of property in that on or about the 14th June 2007 the First Named Defendant so negligently drove and operated the Second Defendants motor car, being Toyota Hilux pick up truck licensed 117 558 along Shedden Road in George Town, Grand Cayman that he caused the same to violently collide with the Plaintiff's Piaggio Scooter licensed 125 061 travelling along the said road and thereby occasioned loss and injury to the Plaintiff.

AND THE PLAINTIFF CLAIMS:

1. Damages;
2. Interest pursuant to the Judicature Law;
3. Costs.

Dated this 24th day of October 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. OF 2007

BETWEEN RICHARD PRICE PLAINTIFF
AND RODNEY VALLE 1st DEFENDANT
AND ENGRID MANLEY 2nd 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) FIS 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:

BETWEEN RICHARD PRICE PLAINTIFF

AND RODNEY VALLE 1st DEFENDANT

AND ENGRID MANLEY 2nd DEFENDANT

STATEMENT OF CLAIM

1. The Plaintiff is a Chef by profession and was at all material times the owner and operator of 125cc Piaggio Scooter licensed 125 061.
2. The First Defendant was at all material times the driver of Toyota Hilux Pick up truck licensed 117 558 owned by the Second Defendant with whose authority and consent the First Defendant drove the said pick up truck, or alternatively he did so in his own behalf.
3. On or about the 14th day of June 2007 the Plaintiff was riding his said motor scooter in a northerly direction along Shedden Road, George Town, Grand Cayman when on reaching the vicinity of Eastern Avenue and Shedden Road the First Defendant so negligently drove, managed and controlled the Second Defendants Toyota Hilux pick up truck by driving the same out of an adjacent open lot along the said Shedden Road out onto the said roadway and into the path of the Plaintiff's scooter and thereby caused or permitted the Toyota Hilux pick up truck to violently collide with the Plaintiff's said scooter knocking the Plaintiff off the same.
4. That following the said collision the First Named Defendant exited the Second Defendants motor vehicle and briefly stood over the Plaintiff before re-entering the said motor-vehicle and driving away from the scene of the collision.
5. That the cause of the said accident was the negligent driving of the Second Defendant's vehicle by the First Defendant.

Particulars of Negligence

- (a) Driving at an excessive speed in all the circumstances;
- (b) Failing to keep any or any proper look-out or to have any or any sufficient regard for other traffic on the said road;
- (c) Failing to have or to keep any or any proper control of the said motor-vehicle;

- (d) Entering the roadway at a time and in a manner when it was unsafe so to do;
 - (e) Failing to stop, to slow down, to swerve or in any other way so to manage or control the said motor-car as to avoid the said collision.
6. Further, the said First Defendant was convicted on the 27th day of September 2007 by the Summary Court sitting at George Town on his own plea of guilty of the offences of driving the said motor-car on the said road without due care and attention as well as the offence of leaving the scene of the accident contrary to the Traffic Law. The said convictions are relevant to the issue of negligence and the Plaintiff intends to rely thereon as evidence in this action.
7. By reason of the matters aforesaid, the Plaintiff sustained severe injuries and has suffered loss and damage.

Particulars of Injuries

- (a) Hypo intense fracture line across the distal pole of the scaphoid;
- (b) Hyperintense marrow edema;
- (c) Scaphoid non-union;
- (d) Fracture of right wrist;
- (e) Scratches and Bruises.

Particulars of Special Damages

i) Loss of income (still continuing)	CIS15,600.00
ii) Cost of Traffic Accident Report	CIS 75.00
(iii) Cost of Interim Medical Report	CIS 75.00
(iv) Damage to Scooter	CIS 2,149.00
(v) Taxi Fares (still continuing)	CIS 441.10
(vi) Medication (continuing)	CIS 3.00
(vii) Medical Costs (continuing)	<u>CIS 5,000.00</u>
	CIS\$23,343.10

AND THE PLAINTIFF CLAIMS:

1. Damages
2. Interest pursuant to the Judicature Law
3. Costs.

Dated the 24th day of October 2007



 Associated Advocates Chambers
 Plaintiff's Attorneys-at-Law