

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE No. 0618 OF 2007

BETWEEN:

**MARY VIRGINIA THOMPSON**  
As Executrix of the Estate of Norberg Thompson (Deceased)

Plaintiff

AND:

**STEVE REID**

Defendants

TO:

**STEVE REID**  
**58 Eclipse Drive**  
**Seven Mile Beach, 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 the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495 GT, 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 Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 14<sup>th</sup> day of December 2007.

NOTE – This Writ may not be served later than 4 calendar 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:
  - a. Is the widow of the late Norberg Thompson (“**Thompson**”);
  - b. Is executrix of the Estate of Norberg Thompson (deceased).
  
2. On 17 December 1999, by written agreement, Thompson agreed to sell to the Defendant 60 ordinary shares of the issued and fully paid capital of Reid’s Premier Tours (1986) Ltd (“**the Agreement**”).
  
3. It was a term of the Agreement that:
  - a. The Defendant would pay Thompson \$438,600 United States Dollars (“**USD**”);
  
  - b. The Defendant would pay \$72,000 USD as a deposit;
  
  - c. The Defendant would proceed to pay the remaining \$366,600 USD over a period of five years with an interest rate of 10% per annum.
  
4. From 2 March 2000 until 3 November 2005, the Defendant paid Thompson principally in accordance with this agreement.
  
5. The Defendant last made a payment to Thompson/the Plaintiff on 3 November 2005, thereafter the Defendant failed to make any further payments to Thompson or the Plaintiff as the Executrix of Thompson’s Estate until 14 November 2007.
  
6. By letter dated 9 October 2007, the Plaintiff offered to have the Defendant repay his debt (inclusive of interest and fees) of \$71,304.80 USD by way of instalments.

7. On 14 November 2007 (though dated 1 November 2007), the Defendant accepted the payment arrangement and returned a revised payment schedule to the Plaintiff (“**the Arrangement**”).
8. It was a term of the Arrangement that the Defendant would make payments promptly on the first day of every month of \$8,000.00 USD until the outstanding amount was paid.
9. On 14 November 2007, the Defendant paid the Plaintiff \$8,000.00 USD.
10. Despite demand and in breach of the Agreement and/or the Arrangement, the Defendant has failed or neglected to pay any amounts to the Plaintiff since 14 November 2007.

**And the Plaintiff Claims against the Defendant:**

1. Payment of \$63,304.80 by way of debt;
2. Further or alternatively, damages in the sum of \$63,304.80 for breach of contract;
3. Interest at 10% per annum pursuant to the Agreement;
4. Further or alternatively, interest pursuant to s34 of the *Judicature Law*;
5. Costs.

Dated this 14th day of December 2007

**BODDEN & BODDEN**  
**Attorneys for the Plaintiff**

This Statement of Claim was issued by Bodden & Bodden, Attorneys for the Plaintiffs, whose address for service is: PO Box 10335GT, Grand Pavilion Commercial Centre, 802 West Bay Road, Grand Cayman KY1-1003, Cayman Islands (Reference: [1063-0001/WJH/QTC]).

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**MARY VIRGINIA THOMPSON**  
As Executrix of the Estate of Norberg Thompson (Deceased)

Plaintiff

AND:

**STEVE REID**

Defendants

**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 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 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 (tick appropriate box).

**yes**

**no**

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Service of the Writ is acknowledged accordingly.

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Defendant/Attorneys for Defendant  
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.

BODDEN & BODDEN  
Attorneys-at-Law  
PO Box 10335  
Grand Pavilion  
802 West Bay Road  
Grand Cayman  
T: 345 943-0202  
Ref: WJH/1063-0001

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

**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 495GT, 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 (ie., 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.*

*Please complete overleaf.*

## 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 of 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.