

Writ of Summons (O.6, r.1)

IN THE GRAND COURT OF THE CAYMAN ISLAND
HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO. *0407* OF 2008

BETWEEN SEP 03 2008
AND PRECIOUS HINES
VIDETTE HYDES

PLAINTIFF
DEFENDANT

SPECIALLY ENDORSED WRIT OF SUMMONS

TO: THE DEFENDANT: VIDETTE HYDES, 20 Otos Drive, North Side, Grand Cayman, 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 495G, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

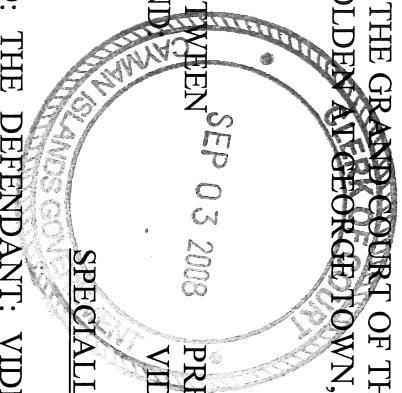
If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 3rd day of September 2008.

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. On 3 September 2008, the Plaintiff was a passenger, along with others, in a Toyota Coaster motor vehicle, registration number 90117 which was owned by Norene Thompson and driven by Patrick R. Blake along Frank Sound Road towards North Side.
2. The Defendant, who was driving in the opposite direction, so negligently drove a RAV-4 Toyota motor vehicle, registration number 102494, along Frank Sound Road, in the vicinity of Rossini Street, that it lost control and collided with the rear off-side wheel of the Toyota Coaster motor vehicle causing the Toyota Coaster motor vehicle to overturn onto its left side and the occupants including the Plaintiff to receive personal injuries.

PARTICULARS OF NEGLIGENCE

- (a) Driving at a speed which was excessive in the circumstances.
- (b) Failing to keep any or any proper lookout or to have any or any sufficient regard for any other traffic.
- (c) Loosing control of her motor vehicle and thus causing or permitting the motor vehicle to skid out of control and/or failing to take any or any adequate measures to correct the skidding of the motor vehicle.
- (d) Driving onto the wrong side of the road and there colliding with the Toyota Coaster motor vehicle.
- (e) Skidding and/or running into the rear of the motor vehicle.
- (f) Failing to stop, to slow down, to swerve, or in any other way so to manage or control the motor vehicle so as to avoid the collision.

4. By reason of the matters aforesaid, the Plaintiff sustained personal injuries and has suffered loss and damage.

PARTICULARS OF INJURIES

The Plaintiff's date of birth is 9 October 1960. Following the accident on 3 September 2008, the Plaintiff did not lose consciousness but suffered injuries, to her non-dominant left arm and to a lesser extent the muscles that lift the arm sideways at the shoulder.

PARTICULARS OF SPECIAL DAMAGE

Date	Description	Costs (CI\$)
3 September 2008	to date medical expenses (to be further particularised in due course	CI\$625.00
Loss of income		CI\$1,200.00

AND the Plaintiff claims

- (i) Damages

- (ii) Further, pursuant to The Judicature Law (1995 Revision), the Defendant is entitled to and claims interest on such sums as are found to be due at such rate and for such period as the Court shall think fit.
- (iii) Costs



Clyde H. Allen, Chambers

THIS WRIT was issued by Clyde H. Allen, Chambers on behalf of the Plaintiff whose address for service is P.O. Box 31076 SMB, 2nd Floor, Suite 10, Jack & Jill Building, 19 Fort Street, KYI-1205, George Town, Grand Cayman, Cayman Islands.

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HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO. OF 2008

BETWEEN
AND:

PRECIOUS HINES
VIDETTE HYDES

PLAINTIFF
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 a Defendant whereby
he 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 a 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

Service of the Writ is acknowledged accordingly

(Signed).....

[Attorney] for

Address for service: (please see overleaf)

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 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.

Clyde Allen
Clyde H. Allen, Chambers,
Attorneys-At-Law
PO Box 31076SMB
Jack & Jill Bldg, KY1-1205
Grand Cayman
Cayman Islands

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