

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: ⁴¹³⁹ OF 2008

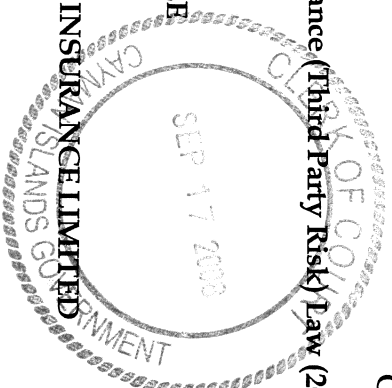
In the Matter of the Motor Vehicle Insurance (Third Party Risk) Law (2007 Revision)

BETWEEN: EDGAR GEORGE COLE

PLAINTIFF

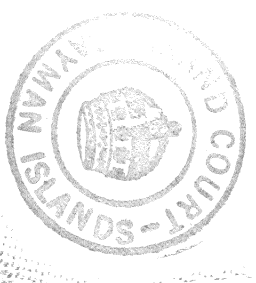
AND: N.E.M. (WEST INDIES) INSURANCE LIMITED

DEFENDANT



ORIGINATING SUMMONS

TO: N.E.M (West Indies) Insurance Limited
Nemwill House
12 Abercromby Street
Port of Spain
Trinidad & Tobago



LET THE DEFENDANT, within 28 days after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

By this Summons, which is issued on the application of the Plaintiff Edgar George Cole of Jamaica, the Plaintiff seeks the following declarations:

1. That pursuant to the Motor Vehicle Insurance (Third Party Risks) Law (2007 Revision) the Defendant was the person who issued the Policy of Insurance and the Insurer of the motor vehicle registration number 98-036 as at 19 January 2005 under an Insurance Certificate number: CAYX1 24727 and an Insurance Policy number: C8AOG1933972 in favour of its Policyholder Robert Watler Jr. ("the Defendant's Policy");
2. That pursuant to the terms of the Defendant's Policy, Dwight Diedrick, deceased, was a person insured by the Defendant's Policy;

3. That pursuant to the Motor Vehicle Insurance (Third Party Risks) Law (2007 Revision) the Defendant shall pay to the Plaintiff any judgment sum obtained against the Personal Representatives of Dwight Deidrick, deceased, in Cause No 313 of 2007 payable thereunder in respect of the liability, including any amount payable in respect of costs and interest on that sum;
4. That the Costs of this Originating Summons be paid by the Defendant; and
5. Any further or other relief as this Honourable Court deems fit.

If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

Dated the 15th day of September 2008



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

NOTE - This Summons 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 that date unless renewed by order of the Court.

IMPORTANT

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