

IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN

Cause No. **60107** of 2009

IN THE MATTER OF AN APPLICATION by Janet James for wrongful dismissal
from her former employers, Fidelity Bank (Cayman) Limited

BETWEEN **JANET JAMES** PLAINTIFF

AND **FIDELITY BANK (CAYMAN) LIMITED** DEFENDANT

ORIGINATING SUMMONS

To: **FIDELITY BANK (CAYMAN) LIMITED**

c/o Mr. Brent Hill, President & CEO

Dr. Roy's Drive, George Town

P.O. Box 914

Grand Cayman

LET THE DEFENDANT within 14 days after service of this Summons on him
counting the day of service, return the accompanying Acknowledgement of
Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

By this Summons, issued on the applicant of **JANET JAMES** of George Town,
Grand Cayman, the Plaintiff's claim against the Defendant for wrongfully
dismissal seeks the following orders to be made;

1. A declaration that the Plaintiff was wrongfully dismissed from her
employment at the Defendant Company on the 4th December 2008.
2. That as a result of the said wrongful termination, the Plaintiff has suffered
financial loss and damage.
3. That the damages and loss of the Plaintiff should be assessed and the
Defendant is liable for such losses.
4. That the Defendant breached their contract of employment with the
Plaintiff and the Plaintiff is entitled to compensation for the breach of
contract.
5. That the Defendant is liable for the Plaintiff's cost of this action
6. Such further or other relief as this Honourable Court deems just.

If the Defendant does 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 9th day of March 2009

Brooks & Brooks

BROOKS & BROOKS

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 Acknowledgement of Service are given with accompanying form

THIS ORIGINATING SUMMONS was issued by Brooks & Brooks, Attorneys-at-Law for the Plaintiff whose address for service is P.O. Box 1355 KY1-1108 George Town Grand Cayman. One Artillery Court, Shedden Road, Grand Cayman Phone:345-949-9377 Fax:345-949-9344.

Acknowledgment of service of originating summons (O.10, r.5)

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS**

The accompanying form of acknowledgement 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 acknowledgement 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 acknowledgement of service.
3. For the purpose of calculating the period of 14 days for acknowledgement of 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 used 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.

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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.

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

Brooks & Brooks
Attorneys-at-Law
One Artillery Court
Shedden Road
George Town
Grand Cayman

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

[Empty box for Defendant's Attorney indorsement]