

**GRAND COURT OF THE CAYMAN ISLANDS
DIVISION****CAUSE NO: OF 2026****DALE ROBERT CONNOR****FIRST PLAINTIFF****AND:****JOSEPH CHARLES BODDEN****SECOND PLAINTIFF****AND:****WESLEY HUGH DYER****DEFENDANT**

WRIT OF SUMMONS

TO: The Defendant

And as a Noticed Party To:

British Caymanian Insurance Company Limited
BritCay House
236 Eastern Avenue
PO Box 74 George Town
KY1-1102 Grand Cayman

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs of 381 Shamrock Road, Bodden Town, Grand Cayman, Cayman Islands, KY1-1501 and 30 Heron Lane, George Town, Grand Cayman, Cayman Islands, KY1-1104 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 22nd day of July 2026.

This **Writ and Statement of Claim** is issued by KSG Attorneys at Law for the Plaintiff whose address for service is 4th Floor, One Capital Place, 136 Shedden Road, George Town, Grand Cayman. P.O. Box 2255, KY1-1107.

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 Acknowledgment of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. At all material times, the First Plaintiff ("**P1**") was driving a 2015 Ford Transit motor vehicle bearing registration number 197581 and the Second Plaintiff ("**P2**") was travelling as the front seat passenger in the Ford Transit.
2. At all material times, the Defendant was the driver of a 2005 Ford F150 motor vehicle bearing registration number 107564.
3. At all material times, the Defendant's vehicle was insured with British Caymanian Insurance Company Limited which had issued a policy of insurance in accordance with the Motor Insurance (Third Party Risks) Act and which was served with notice of these proceedings.
4. On 29 July 2024 at approximately 6:00 pm, P1 was lawfully driving the Ford Transit along Shamrock Road, Grand Cayman with P2 as his passenger.
5. At the same time, the Defendant was driving his motor vehicle along Shamrock Road behind the Ford Transit.
6. The Defendant drove his motor vehicle into the rear of the Ford Transit. After the initial collision, the Defendant's motor vehicle struck the rear of the Ford Transit on two further occasions.
7. As a result of the collisions, the Ford Transit left the roadway, travelled through a nearby yard and collided with trees before stopping in the yard of a nearby residence.
8. The collision was caused solely by the negligence of the Defendant.

PARTICULARS OF NEGLIGENCE

9. The Defendant was negligent in that he:
 - (a) collided with the Ford Transit;
 - (b) failed to keep any or any proper lookout;
 - (c) failed to see the Ford Transit when he ought to have done;
 - (d) failed to maintain a safe distance behind the Ford Transit;

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- (e) failed to apply his brakes whether in time or at all;
- (f) failed to stop, slow down, steer or control his vehicle so as to avoid the collision;
- (g) drove without due care and attention; and
- (h) failed to take reasonable care in all the circumstances.

10. The Plaintiffs also rely on the doctrine of *res ipsa loquitur*.

11. By reason of the matters aforesaid, the Plaintiffs have sustained severe personal injury and have suffered loss and damage.

P1 - PARTICULARS OF PERSONAL INJURY

12. In the collision, P1 sustained injuries to his head, neck, thoracic spine, lumbar spine and lower limbs.

13. On 29 July 2024, P1 was taken by ambulance to the George Town Hospital. He reported head, neck and back pain together with paraesthesia affecting both lower limbs and underwent radiological investigations.

14. CT imaging identified a left frontal subdural haematoma. P1 was admitted for neurological observation before being discharged.

15. Following his discharge, P1 continued to experience neck pain, mid and lower back pain, headaches, dizziness and paraesthesia affecting both lower limbs.

16. P1 underwent an extensive course of physiotherapy, treatment and investigation. This included MRI imaging of the lumbar spine which identified multilevel lumbar disc abnormalities at the L2/3, L3/4 and L4/5 levels.

17. Notwithstanding treatment, P1 continued to experience neck pain, lower back pain, paraesthesia affecting both lower limbs and associated functional limitation.

18. As a result of his injuries, P1 remained unable to return to his pre accident level of functioning. He required a prolonged period away from work and thereafter returned on restricted duties.

19. P1 also developed ongoing psychological symptoms following the collision and came under the care of Behavioural Health Associates Cayman for assessment and treatment.

20. As a consequence of the injuries sustained in the collision, P1 has suffered pain, disability and loss of amenity.

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21. P1 remains under medical review and continues to receive treatment. Further expert evidence is anticipated regarding the nature, extent, causation and prognosis of his ongoing physical and psychological symptoms.
22. Further particulars of P1's injuries, treatment and prognosis will be provided in due course.

P2 - PARTICULARS OF PERSONAL INJURY

23. In the collision, P2 sustained injuries to his neck, thoracic spine, lumbar spine, shoulders, hips, knees, ankles and right wrist. He also developed cognitive and neurological symptoms.
24. On 29 July 2024, P2 was taken by ambulance to the George Town Hospital. He reported neck pain, headache, nausea and right-hand numbness and underwent radiological investigations.
25. Following his discharge, P2 continued to experience neck pain, mid and lower back pain, bilateral shoulder pain, bilateral hip pain, bilateral knee pain, bilateral ankle pain and pain affecting his right thumb and wrist.
26. P2 underwent an extensive course of physiotherapy, medical treatment and investigation. On or about 29 October 2024, he commenced physiotherapy treatment and was noted to have restricted spinal movement, reduced shoulder movement and ongoing functional limitations.
27. Notwithstanding treatment, P2 continued to experience pain and functional limitation affecting his neck, back, shoulders, hips, knees, ankles and right wrist.
28. P2 also experienced ongoing cognitive and neurological symptoms including memory impairment, reduced concentration, impaired balance, visual disturbance, left sided weakness and difficulties with day-to-day functioning.
29. Due to the persistence of those symptoms, P2 was referred for neurological assessment and was reviewed by Dr Romnesh De Souza and Dr Susant Bhuyan. He also underwent neurological investigations including MRI imaging of the brain.
30. Notwithstanding treatment and investigation, P2 continued to experience significant cognitive impairment
31. Concerns were subsequently raised regarding possible post-concussion syndrome and P2 was referred for neuropsychological assessment

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32. As a result of his injuries, P2 has remained unable to return to his pre-accident level of functioning and has experienced difficulties carrying out his employment and usual activities
33. As a consequence of the injuries sustained in the collision, P2 has suffered pain, disability and loss of amenity.
34. P2 remains under medical review and continues to receive treatment. Further expert evidence is anticipated regarding the nature, extent, causation and prognosis of his ongoing physical, cognitive and neurological symptoms.
35. Further particulars of P2's injuries, treatment and prognosis will be provided in due course.

PARTICULARS OF SPECIAL DAMAGE AND FUTURE LOSS

36. As a consequence of the injuries sustained in the collision, the Plaintiffs and each of them have suffered loss and damage.
37. The Plaintiffs and each of them have incurred medical, treatment, rehabilitation, travel and other related expenses.
38. The Plaintiffs and each of them have suffered loss of earnings and loss of earning capacity.
39. The Plaintiffs and each of them will continue to incur medical, treatment and rehabilitation expenses and may suffer further losses in the future.
40. Full particulars of the losses claimed by the Plaintiffs will be set out in Schedules of Damages to be served in due course.
41. The Plaintiffs claim interest pursuant to section 34 of the Judicature Act (2021 Revision) on all damages found to be due at such rate and for such period as the Court considers appropriate.

AND THE PLAINTIFFS CLAIM:

1. Damages;
2. Interest thereon, to be assessed;
3. Costs;
4. Such further or other relief as this Honourable Court deems just.

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KSG Attorneys-at-Law
Attorneys for the Plaintiff

This **Writ and Statement of Claim** is issued by KSG Attorneys at Law for the Plaintiff whose address for service is 4th Floor, One Capital Place, 136 Shedden Road, George Town, Grand Cayman. P.O. Box 2255, KY1-1107.

**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 495G, 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 (i.e. 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 instalments or otherwise.

See over for notes for guidance

Please complete overleaf

Notes for Guidance

This **Writ and Statement of Claim** is issued by KSG Attorneys at Law for the Plaintiff whose address for service is 4th Floor, One Capital Place, 136 Shedden Road, George Town, Grand Cayman. P.O. Box 2255, KY1-1107.

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 in 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 its 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.

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**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION****CAUSE NO: OF 2026****BETWEEN:****DALE ROBERT CONNOR****FIRST PLAINTIFF****AND:****JOSEPH CHARLES BODDEN****SECOND PLAINTIFF****AND:****WESLEY HUGH DYER****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 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☐ no

Service of the Writ is acknowledged accordingly

(Signed).....
Attorney for

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Please complete overleaf

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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. 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.

KSG Attorneys-at-Law
4th Floor One Capital Place
Shedden Road
PO Box 2255
George Town
KY1-1107
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.

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