



SUMMONS TO STRIKE OUT STATEMENT OF CLAIM

SUIT NO. C. L. B-039 of 1989

NORMAN MANLEY LA  
COUNCIL OF LEGAL EDUCATION  
MONA, KINGSTON 7, JAMAICA

IN THE SUPREME COURT OF JUDICATURE OF JAMAICA  
IN COMMON LAW

BETWEEN	HECTOR BERNARD SONIA MILLS MARTIN MORDECAI WESLEY POWELL ANNE SAUNDERS GORDON WELLS RICHARD WELLS	PLAINTIFFS
A N D	THE ATTORNEY-GENERAL (for the Accountant- General, a Corporation Sole pursuant to the Crown Property Vesting Act)	1ST DEFENDANT
	CABLE AND WIRELESS  (WEST INDIES) LIMITED	2ND DEFENDANT
	HORACE BARBER	3RD DEFENDANT
	DOUGLAS C. BUCK	4TH DEFENDANT
	WENTWORTH CHARLES	5TH DEFENDANT
	TOM CHELLEW	6TH DEFENDANT
	ALSTON DOUGLAS	7TH DEFENDANT
	DAVID MAIS	8TH DEFENDANT
	FRED PHILLIPS	9TH DEFENDANT
	HOSFORD SCOTT	10TH DEFENDANT
	PAUL SKEY	11TH DEFENDANT
	MAYER MATALON	12TH DEFENDANT

LET ALL PARTIES CONCERNED attend before the Master in  
Chambers or a Judge in Chambers, at the Supreme Court, King  
Street, Kingston, on the 10<sup>th</sup> day of April 1989 at 10:00  
o'clock in the forenoon, on the hearing of an application on the  
part of the 5th, 7th and 10th named Defendants for an Order  
that:-

1. (a) The Statement of Claim herein be struck out  
pursuant to Section 12 and 191 of the Judicature  
(Civil Procedure Code) Act on the ground that it  
is irregular since the Plaintiffs named therein  
are not the same as the Plaintiffs named in the

Writ of Summons and it embarrasses, prejudices and delays the fair trial of the action and is an abuse of the process of the Court.

(b) Further and in the alternative, paragraphs 17 to 22 inclusive of the Statement of Claim herein be struck out pursuant to Section 191 and 238 of the Judicature (Civil Procedure Code) Act on the ground that it discloses no reasonable cause of action, and it embarrasses, prejudices and delays the fair trial of the action, and further that the aforesaid paragraphs of the Statement of Claim are an abuse of the process of the Court.

2. The Plaintiff pay the costs of these proceedings to be agreed or taxed.

DATED THE                      day of                      1989

MYERS, FLETCHER & GORDON, MANTON & HART

PER: 

ATTORNEYS-AT-LAW for the 5th, 7th and 10th named Defendants.

To:- The Plaintiffs  
c/o Their Attorneys-at-Law  
Mr. R. B. Manderson-Jones  
Pan-Jamaican Building  
60 Knutsford Boulevard, Box 469, Kingston 5

FILED by MYERS, FLETCHER & GORDON, MANTON & HART of No. 21 East Street, Kingston, Attorneys-at-Law for the 5th, 7th and 10th named Defendants herein.