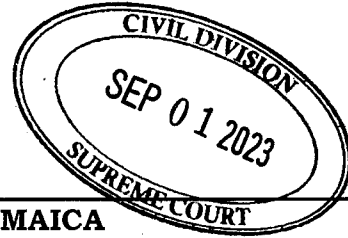




CLAIM FORM



IN THE SUPREME COURT OF JUDICATURE OF JAMAICA
IN THE CIVIL DIVISION

CLAIM NO. *Su2023 CVO 274B*

BETWEEN	BARITA INVESTMENTS LIMITED	1st CLAIMANT
AND	CORNERSTONE UNITED HOLDINGS JAMAICA LIMITED	2nd CLAIMANT
AND	CORNERSTONE FINANCIAL HOLDINGS LIMITED	3rd CLAIMANT
AND	PAUL SIMPSON	4th CLAIMANT
AND	JASON CHAMBERS	5th CLAIMANT
AND	THE GLEANER COMPANY (MEDIA) LIMITED	1st DEFENDANT
AND	JOVAN JOHNSON	2nd DEFENDANT

The 1st and 2nd Claimants, **BARITA INVESTMENTS LIMITED** and **CORNERSTONE UNITED HOLDINGS JAMAICA LIMITED**, companies established pursuant to the Companies Act with their registered offices at 15 and 17 St. Lucia Way in the parish of St. Andrew respectively, the 3rd Claimant, **CORNERSTONE FINANCIAL HOLDINGS LIMITED**, a company continued to Barbados, with its registered office at Suite 1, Ground Floor, The Financial Services Centre, Bishop's Court Hill, St. Michael, Barbados, BB14004 and the 4th and 5th Claimants, **PAUL SIMPSON** and **JASON CHAMBERS**, company executives whose titles are Group Chief Executive Officer and Chief Investment Officer of the 2nd and 3rd Claimants respectively

and whose place of business is in care of the above-mentioned St. Lucia Way address, claim damages, an injunction and other reliefs jointly and or severally against the 1st Defendant, **THE GLEANER (MEDIA) COMPANY LIMITED**, a company established pursuant to the Companies Act with its registered office at 7 North Street in the parish of Kingston and the 2nd Defendant, **JOVAN JOHNSON**, an employee, servant and/or agent of the 1st Defendant whose place of business is in care of the 1st Defendant, in that between July 30, 2023 and August 20, 2023, the Defendants wrote and/ or composed and/or published in the 1st Defendant's newspapers and on their online platforms a series of defamatory/ libelous articles/ statements/ comments in relation to the Claimants, causing loss, damage and loss of reputation to the Claimants which carry on or manage businesses in the financial sector.

AND THE CLAIMANTS CLAIM:

- (1) Damages for defamation/libel including aggravated and exemplary damages;
- (2) Interest at such rate as this Honourable Court determines;
- (3) An injunction restraining the Defendants, whether by themselves their servants, agents or otherwise and in particular the 1st Defendant, whether by its officers, directors, servants, agents or otherwise from further publishing or causing to be published the said or similar statements, comments and/or articles defamatory of the Claimants;
- (4) Costs;

(5) Any or other further relief this Honourable Court deems just.

I, **MARK MYERS**, Chairman of the 1st and 2nd Claimants and Director of the 3rd Claimant certify on the 1st, 2nd and 3rd Claimants' behalf that all facts set out in this Claim Form are true to the best of my knowledge, information and belief.

Dated the 1st of SEPTEMBER 2023



.....
MARK MYERS

for and on behalf of Barita Investments Limited, Cornerstone United Holdings Jamaica Limited and Cornerstone Financial Holdings Limited.

I, **PAUL SIMPSON**, certify that all the facts set out in this Claim Form are true to the best of my knowledge, information and belief.

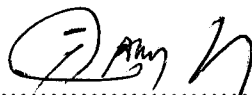
Dated the 1st of SEPTEMBER 2023



.....
PAUL SIMPSON

I, **JASON CHAMBERS**, certify that all the facts set out in this Claim Form are true to the best of my knowledge, information and belief.

Dated the 1st of SEPTEMBER 2023



.....
JASON CHAMBERS

Filed by BRAHAMLEGAL of Suites 1 & 2, 32 Lady Musgrave Road, Kingston 5, Attorneys-at-Law for and on behalf of the Claimant whose address for service is that of their said Attorneys-at-Law. Telephone 876-927-9061. Email: randsford.braham@braham.legal.

NOTICE TO THE DEFENDANT

See the notes in form 1A served with this Claim Form

This Claim Form must contain or have served with it either a Particulars of Claim or a copy of a court order entitling the Claimant to serve the Claim Form without a Particulars of Claim.

If you do not complete the form of Acknowledgement of Service served on you with this Claim Form and deliver or send it to the registry (address below) so that it is received within FOURTEEN days of service of the Claim Form on you, the Claimant will be entitled to apply to have judgment entered against you. See rules 9.2(5) and 9.3(1).

The form of Acknowledgement of Service may be completed by you or an Attorney-at-Law acting for you.

You should consider obtaining legal advice with regard to this claim.

This Claim Form has no validity if it is not served within six months of the date below unless it is accompanied by an order extending the same. See Rule 8.14(1).

[SEAL]

The Registry is at King Street, Kingston, telephone numbers (876) 922-8300 9, fax (876)967-0669. The office is open between 9:00a.m. and 4:00p.m. Mondays to Thursdays and 9:00a.m. to 3:00p.m. on Fridays, except on Public Holidays.

Dated the of 2023

The Claimant's address for service is that of its Attorney- at- Law of Suites 1 & 2 Lady Musgrave Road, Kingston 5.

Filed by BRAHAMLEGAL of Suites 1 & 2, 32 Lady Musgrave Road, Kingston 5, Attorneys-at-Law for and on behalf of the Claimants whose address for service is that of their said Attorneys-at-Law. Telephone 876-927-9061. Email: ransford.braham@braham.legal.



PRESCRIBED NOTES FOR DEFENDANTS

(CLAIM FORM)

Form 1A [Rule 8.16(1)(c)]

This Form is important.

When you get this document you should consider getting legal advice.

ACTION TO BE TAKEN ON RECEIPT OF THIS FORM

The Claimant is making a claim against you in court. **If you do nothing, judgment may be entered against you.** That means that the Claimant will be entitled to take steps to enforce payments from you of any money he is claimant and you will have no right to be heard except as to the amount of any costs claimed and the way in which you can pay the judgment unless you apply to set judgment aside.

WHAT CAN YOU DO

You can:

A. Defend the claim

If you would like to do this you must:

- (i) Complete the form of Acknowledgement of Service and return it to the registry so that they receive it within **FOURTEEN DAYS** of the date on which you received this Form; and
- (ii) Provided that a Particulars of Claim was served in you with the Claim Form, complete the form of Defence, form 5, or submit some other form of Defence showing why you dispute the claim, giving full details of all the facts on which you intend to rely if there is a trial. This must be delivered or sent to the registry so that they receive it within **FORTY-TWO DAYS** of the date on which you received this Form and a copy must be served on the Claimant's Attorney-at-Law at the given address.

Note, where permission has been given under rule 8.2 for a Claim Form to be served without a Particulars of Claim, the period for filing a Defence is the period of **FORTY-TWO DAYS** after the service of the Particulars of Claim.

After you have filed your Defence you will be given details of the date, time and place of a case management conference at which a judge will decide what issues have to be determined by the court and give directions about what needs to be done before the case is tried. You must attend that hearing.

B. Admit the whole of the Claim

Complete the Form of Acknowledgement of Service stating that you admit to the claim and return it to the registry so that they receive it within FOURTEEN DAYS of the date on which you received this Form.

If you can pay the amount stated on the Claim Form including fees, costs and interest you should pay this to the Claimant within FOURTEEN DAYS and no further steps can be taken against you. You must add interest at the daily rate shown from the date stated on the Claim Form.

If you cannot pay this sum in full you may apply to pay by instalments. If you wish to do so you must complete form 6 and return this to the court with your Acknowledgement of Service.

C. Admit part of the claim and defend the rest

Complete the form of Acknowledgement of Service stating how much you admit and return it to the registry so that they receive it within FOURTEEN DAYS of the date on which you received this form AND complete the Defence form, form 5.

You may also-

Pay the amount that you admit directly to the Claimant OR apply to pay that sum by instalments. If so you should follow the procedure indicated under B.

D. Make a claim against the Claimant

If you would like to do this you must:

- (i) Complete the form of Acknowledgement of Service and return it to the registry so that they receive it within FOURTEEN DAYS of the date on which you received this Form; and
- (ii) Provided that a Particulars of Claim was served with the Claim Form, complete the form of Defence, form 5, giving details of your defence if any to the claim as under A above and also the claim that you are making against the Claimant and return it to the registry so that they receive it within FORTY-TWO DAYS of the date on which you received this Form.

Note, where permission has been given under rule 8.2 for a Claim Form to be served without a Particulars of Claim, the period for filing a Defence is the period of FORTY-TWO DAYS after the service of the Particulars of Claim.

If you admit the Claim but wish to counterclaim you should say so. If your counterclaim is for a lower sum than the claim you **may** pay the difference between the amount that the Claimant claims from you and the amount that you claim from him, directly to the Claimant OR apply to pay the sum by

instalments. If you wish to pay by instalments, you should follow the procedure directed under B.

You will then be given details of the date, time and place of a case management conference at which a judge will decide what issues have to be determined by the court and give directions about what need to be done before the case is tried. You must attend that hearing.

REMEMBER, IF YOU DO NOTHING, JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT ANY FURTHER WARNING.

Copies of forms may be obtained from the registry or at www.sc.gov.jm



ACKNOWLEDGEMENT OF SERVICE TO CLAIM FORM

Form 3 [Rule 8.16(1)(a)]

IN THE SUPREME COURT OF JUDICATURE OF JAMAICA

IN THE CIVIL DIVISION

CLAIM NO.

BETWEEN	BARITA INVESTMENTS LIMITED	1st CLAIMANT
AND	CORNERSTONE UNITED HOLDINGS JAMAICA LIMITED	2nd CLAIMANT
AND	CORNERSTONE FINANCIAL HOLDINGS LIMITED	3rd CLAIMANT
AND	PAUL SIMPSON	4th CLAIMANT
AND	JASON CHAMBERS	5th CLAIMANT
AND	THE GLEANER COMPANY (MEDIA) LIMITED	1st DEFENDANT
AND	JOVAN JOHNSON	2nd DEFENDANT

WARNING: If this form is not fully completed and returned to the court at the address below within FOURTEEN DAYS of service of the Claim Form on you, The Claimant will be entitled to apply to have the judgment entered against you. See Rules 9.2(5) and 9.3(1). If it does so you will have no right to be heard by the court except as to the costs or the method of paying any judgement unless you apply to set judgment aside.

1. Have you received the Claim Form with the above claim number?

YES/NO

2. If so, when did you receive it?

___/___/___

3. Did you also receive the Claimant's Particulars of Claim?

YES/NO



DEFENCE

Form 5 [Rule 8.16(1)(b)]

**IN THE SUPREME COURT OF JUDICATURE OF JAMAICA
IN THE CIVIL DIVISION
CLAIM NO.**

BETWEEN	BARITA INVESTMENTS LIMITED	1st CLAIMANT
AND	CORNERSTONE UNITED HOLDINGS JAMAICA LIMITED	2nd CLAIMANT
AND	CORNERSTONE FINANCIAL HOLDINGS LIMITED	3rd CLAIMANT
AND	PAUL SIMPSON	4th CLAIMANT
AND	JASON CHAMBERS	5th CLAIMANT
AND	THE GLEANER COMPANY (MEDIA) LIMITED	1st DEFENDANT
AND	JOVAN JOHNSON	2nd DEFENDANT

I dispute the claim on the following grounds-

I [name] certify that I believe the facts stated in this [name of document] are true.

Dated day of 2023

Signed
Defendant

COUNTERCLAIM

I claim against the Claimant

(Set out details of the remedy or relief sought)

on the following grounds-

I certify that all the facts set out in my counterclaim are true to the best of my knowledge, information and belief and that I am entitled to the remedy claimed.

Signed.....
Defendant

Dated day of 2023

Filed by (specify name and address of Attorney- at- Law or firm of Attorneys- at- Law filing the Defence.

NOTES:

- (a) The Defendant may set out his defence in any way he chooses – it is not necessary to use this form.
- (b) The Defendant must state:
 - which allegations in the claim he admits
 - which he denies
 - which he neither admits or denies because he does not know whether they are true
 - identify any documents which he considers necessary to his case

- (c) The Defendant must give his reasons for denying any allegations made by the Claimant.
- (d) The Defendant must set out clearly all the facts on which he relies to dispute the Claim and must set out any different version of the events on which he relies.
- (e) The Defendant may not be allowed at the trial to give evidence about any fact which is not set out in the defence.
- (f) If the Defendant wishes to counterclaim he must-
- specify any remedy that he seeks against the claimant
 - include a short statement of all facts on which he relies
 - identify any documents which he considers necessary to his case
- (g) Where the Defendant is represented by an attorney-at-law, he must also sign the Form and give his address for service.
- (h) A Defendant who defends in a representative capacity must say:
- what the capacity is and
 - whom he represents.