

22.2.99

See SC.



IN CHAMBERS
IN THE GRAND COURT OF THE CAYMAN ISLANDS
CAUSE 357 OF 1996 *-Cont.*

BETWEEN: ANDREW MCGREGOR **YATES** PLAINTIFF

AND: SONIA RADTKE DEFENDANT

Appearances:

Mr. Robert Jones of Ritch & Conolly for the Plaintiff
Mr. Norman Hill Q.C. instructed by H. Delroy Murray for the Defendant

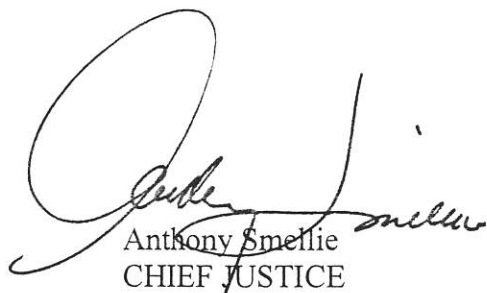
RULING

I do not accept that the defendant should be liable for the plaintiff's error in calculating the amount to be paid in by requiring that the defendant pays interest on the shortfall of \$6915.83 from 24.10.97 until today. The plaintiff is entitled to interest on the balance not paid out for the period 24.10.97 to 16.1.98; ie: \$3749.82.

The plaintiff to have payment out therefore of the amount which reflects the judgment of the Court of Appeal subject to the shortfall of \$6915.83 which is to be made good and subject to its interest entitlement of \$3749.82.

2894'

No order as to the costs of this application.


Anthony Smellie
CHIEF JUSTICE



DATED THIS 22ND DAY OF FEBRUARY 1999.