

CS
18.8.95

CHAMBERS

IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN, GRAND CAYMAN
CAUSE NO. D 27/95

BETWEEN: JOHN EDLIN HURLSTONE PETITIONER
AND: SHARON LOIS HURLSTONE RESPONDENT

For the petitioner: Mrs. K. Thompson
For the respondent: Mrs. A. Hernandez

BEFORE HARRE CJ

RULING

Mr. and Mrs. Hurlstone lived an affluent lifestyle during their marriage. Unfortunately their separation coincided with a serious downturn in Mr. Hurlstone's business affairs. At this interim stage one thing is clear. Debts to banks backed by personal guarantees are very large and he is under pressure. His wife disbelieves his affidavit of means but he stand stoutly by it and denies he continues to live lavishly. He gives explanations of the matters of which she complains. Pending any later evidence to the contrary I am constrained to accept them.

The husband pays \$2500 per month out of a disposable income which he says is \$6000, to cover the children maintenance, upkeep and school fees. The respondent does not dispute that she has a total monthly income in excess of \$5296, which includes the \$2500 to which I have just referred, and took from the marriage two vehicles with combined values in the range of \$40,000 and jewelry valued in excess of \$100,000. Her expenses per month are to some extent excessive. \$700 per month for clothing and shoes for the children plus another \$500 for miscellaneous expenses for them over and above \$833 for school fees and uniforms and \$500 for holidays are not reasonable at the present time. Both parties are going through hard times and will have to tighten their belts.

The most serious bone of contention, however, is accommodation. The husband is not being helpful about this. Whatever may have been said at the hearing on 16th June the proposal made in the letter from the wife's attorney dated 14th July is quite clear. She was prepared to continue living at her mother's home if temporary walls and additional furniture were provided to allow for an additional bedroom pending a full resolution of the ancillary matters. There is really no other solution. Neither party on the evidence so far can afford to share an additional liability of \$2000 a month or so for rent. I do not understand the search for alternative accommodation on that basis.

I order that the monthly payments of \$2500 to the wife continue but that the petitioner carry out the temporary work as proposed by the respondent, such work to be carried out as soon as possible and in any

event within 14 days.

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A handwritten signature in black ink, appearing to read 'G.E. Harre', written in a cursive style.

18th August 1995

G.E. Harre

Chief Justice