

Chambers

CJ.

29.12.94

IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN, GRAND CAYMAN
CAUSE NOS. 33/89, 35/89 & W95

33/89 IN THE ESTATE OF LANAMAN STACEY WATLER, DECEASED

35/89 IN THE ESTATE OF JANE CATHERINE WATLER, DECEASED

W95 IN THE ESTATE OF LANAMAN ELLSWORTH WATLER, DECEASED

For Mr. Charles Watler and Mr. Melbourne Watler:
Norman Hill Q.C. instructed by Mr. A. Steve McField
For Mrs. Laverne Watler Daly:
Mr. M. Parkinson

HARRE CJ.

JUDGMENT

Lanaman Ellsworth Watler and Jane Catherine Watler were the parents of eleven children. He died in 1974, testate, and she in 1989, intestate, leaving eight of those children living.

Matters relating to the estates of both the deceased parents, whom I will call respectively "Lanaman" and "Jane" are before the court and orders in respect of each were made on 17th January 1994. Under those orders Mrs. Laverne Daly was appointed a personal representative and trustee of the estate of Lanaman and an administrator of the estate of Jane. In each case the other personal representatives or administrators of the estates are her brothers Melbourne and Charles.

The hope that matters would thenceforth proceed to a conclusion has not been realised. There has been a lengthy exchange of correspondence between attorneys and Mrs. Daly now seeks to have the administration of both the estates entrusted to her alone, and other relief, as set out in her summons dated 29th September 1994.

Other summonses have been filed on behalf of Melbourne and Charles, seeking that the estates of their parents be separately represented by an attorney at law.

So we now have the unfortunate situation of the three people responsible for the administration of the estates in dispute in their capacity as beneficiaries. Other of the children of Lanaman and Jane are taking sides. In those circumstances the proposal made on behalf of Melbourne and Charles that the estates of Lanaman and Jane should be separately represented by an attorney independent of either faction seems to me to be right and I so order. It would be in the real best interest of all.

I do not need to review the correspondence or the various allegations and counter allegations of the parties. It suffices to say merely that in my view they indicate a viewpoint on each side which affords little hope of satisfactory progress other than by the course which I have ordered. The provisions of my order of 17th January 1994 and the obligation of the parties thereunder remain in effect, but the estates will be protected in the event of further dispute by being represented by an attorney who will be in a position to apply to the court if necessary.

There will therefore be orders in causes 35 of 1989 and W95 in terms of the first paragraph of the summons dated 25th October 1994. It was agreed at the hearing that Charles, Melbourne and Mrs. Daly be appointed as the administrators of the estate of Stacey and there will be an order to that effect by consent, as prayed in paragraph 2 of the summons dated 25th October in cause 35 of 1989. The summons dated 29th September 1994 on behalf of Mrs. Daly is dismissed.

*Cats up to and including matters relating to
dealt with herein to be out of the
entire.*

Dated 26th May 1995

G. E. Harre

G.E. Harre
Chief Justice