

Originating Summons – general form (0.8. r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 202 OF 2007

~~IN THE MATTER OF Section 14 of the Grand Court Law (1995 Revision)~~

~~AND IN THE MATTER OF the Mental Health Law (1997 Revision)~~

~~AND IN THE MATTER OF an application pursuant to Order 80, Rule 17 of
the Grand Court Rules 1996 for the appointment of a guardian for a Minor
(“L”) (d.o.b. 12th June 2005)~~

~~IN THE MATTER of Section 14 of the Grand Court Law (1995 Revision)~~

~~IN THE MATTER OF L (A Minor) (Wardship proceedings)~~

~~AND IN THE MATTER OF the Child Abduction and Custody Act 1985~~

~~AND IN THE MATTER OF the Child Abduction and Custody (Cayman
Islands) Order 1997~~

BETWEEN:

CONSTANCE SHEOW

PLAINTIFF

AND:

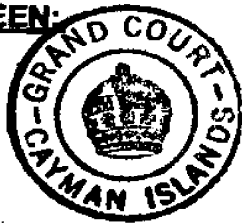
MS. MISHHA CHISHOLM

FIRST DEFENDANT

AND:

MR. NIRVANA SHEOW

SECOND DEFENDANT



FURTHER AMENDED ORIGINATING SUMMONS

[Amendments ordered by His Honour Mr. Justice Quin
on 6 January 2009]

[Further Amendment ordered by His Honour Mr. Justice Foster
on 15 July 2009]

TO:

Ms. Mishka Chisholm
30 Mockingbird Crescent
Apartment 4
P.O. Box 510
Grand Cayman – KY1-1106

AND TO: Mr. Nirvana Sheow
30 Mockingbird Crescent
Apartment 1
P.O. Box 516
Grand Cayman - KY1-1106

TO: Ms. Mishka Chisholm
Mr. Nirvana Sheow
C/o Brooks & Brooks
Attorneys-at-Law
P.O. Box 1355
Grand Cayman - KY1-1108
CAYMAN ISLANDS

LET THE RESPONDENTS DEFENDANTS, within 14 days after service of this Summons on them, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, Box 495, George Town, Grand Cayman.

By this Summons, which is issued on an application pursuant to ~~GGR O. 80, r. 26~~ by the Applicant for an Order of the Plaintiff, Ms. Constance Sheow c/o Myers & Alberga Attorneys, 103 South Church Street, KY1-1106, seeks determination of the Court on the following questions, namely:-

- ~~1.~~ That the Grandmother, "G", be appointed the Guardian of a Minor "L" born on 12th June 2005.
- ~~1.~~ That the Judgment of His Lordship, Mr. Justice Kirkwood in Royal Borough of Kingston v. Chisholm-Sheow [2006] EWHC 2732 (Fam), be given its full effect and meaning by the Honourable Grand Court of the Cayman Islands pursuant to the principle that the Courts of the Cayman Islands will enforce foreign non-money judgments, as detailed in the following decisions:-

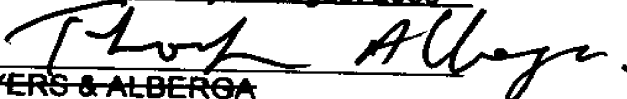
- 1.1 Miller v. Gianne and Redwood Hotel Investment Corporation 2007 CILR 18, G.C. (C.I.) per His Lordship Henderson J.).
- 1.2 Bandone Stn. Bhd v. Sol Properties Inc. (unreported, 86 of 2008, 5 June 2008, G.C. (C.I.) per His Lordship Henderson J.).
- ~~2.~~ Any directions necessary as a result of such appointment.
2. That the Judgment of His Lordship Mr. Justice Kirkwood in Royal Borough of Kingston v. Chisholm-Sheow [2006] EWHC 2732 (Fam.), be:
- 2.1 recognised by the Honourable Grand Court of the Cayman Islands pursuant to Order 15 of Child Abduction and Custody (Cayman Islands) Order 1997; and/or
- 2.2 registered by the Honourable Grand Court of the Cayman Islands pursuant to Order 16 of Child Abduction and Custody (Cayman Islands) Order 1997; and/or
- 2.3 enforced by the Honourable Grand Court of the Cayman Islands pursuant to Order 18 of Child Abduction and Custody (Cayman Islands) Order 1997.
- ~~2.3.~~ Costs.
- ~~3.~~ Costs.
- ~~3.4.~~ Any other Orders this Honourable Court thinks fit.

If the ~~Respondent does~~ Defendants do not acknowledge service, such judgment may be given or order made against or in relation to them as the Court may think just and expedient.

~~Dated this 10th day of May 2007~~

~~Dated this 6th day of January 2009~~

~~Dated this 12th day of August 2009~~



~~MYERS & ALBERGA~~

~~THORP ALBERGA~~

Attorneys-at-Law for the Applicant Plaintiff

NOTE – This Summons may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with that date unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

This Originating Summons was issued by ~~Myers & Thorp~~ Alberga, Attorneys-at-Law for the Applicant Plaintiff herein whose address for service is P.O. Box 472, Harbour Place, 103 S. Church Street, George Town, Grand Cayman, Cayman Islands, KY1-1106.