

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE 399 OF 2009

IN THE ESTATE OF JOSEPH RODRIQUEZ WATLER

AND IN THE ESTATE OF JOSEPH THEODORE WATLER

AND IN THE MATTER OF THE REGISTERED LAND LAW (2004 REVISION)

AND IN THE MATTER OF REGISTRATION SECTION: NORTH SIDE, BLOCK  
53A, PARCEL 25

BETWEEN: DONALD JAMES WATLER AND JOSEPH LADNER WATLER

APPLICANTS

AND:

JOAN WILSON AS ADMINISTRATOR JOSEPH RODRIQUEZ WATLER

RESPONDENT

## ORIGINATING SUMMONS

LET THE RESPONDENT attend before a Judge of the Grand Court in Chambers at the  
Law Courts, George Town, Grand Cayman on the            day of            2009  
at            o'clock in the fore/afternoon on the hearing of an application by the  
Applicants who seek the determination of the Court on the following question, namely an  
Order:-

1. That Joan Wilson as Administrator Joseph Rodriquez Watler (D'ced) and herein referred to as the Respondent on behalf of the said Estate account to the

Applicants for their father's share in the Estate of Joseph Rodriquez Watler and that Joan Wilson pay over to the Respondent the sum of CI\$18,000.00 from the sale of property known as North Side, Block 53A, Parcel 25 which property was sold on 8 October 2007 for the sum of CI\$90,000.00.

2. That the Court make any other Order it considers appropriate in the circumstances
3. That the cost of this application shall be paid by the Respondent.

Dated this 21 day of August 2009



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CLYDE H. ALLEN, CHAMBERS  
ATTORNEY-AT-LAW FOR THE APPLICANTS

NOTE: (1) This Summons must not be served later than 4 months beginning with the above date unless renewed by the Court.

(2) If a Respondent does not attend personally or by his Attorney-at-law at the time and place above mentioned such Order will be made as the Court may think just and expedient.

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

TO: The Clerk of the Court

AND TO: The Respondent, Joan Wilson as Administrator Joseph Rodriquez Watler (D'ced) at P. O. Box 2127, Grand Cayman, Cayman Islands

This Originating Summons is filed by Clyde Allen of Clyde H. Allen, Chambers attorney-at-law for the Applicants, Suite #10, 2<sup>nd</sup> Floor, Jack & Jill Building, 19 Fort Street, PO Box 31076, Grand Cayman KY1-1205, Cayman Islands, British West Indies.

Acknowledgement of service of Originating Summons (O.10, r.5)

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE  
OF ORIGINATING SUMMONS

The accompanying form of *Acknowledgment of Service* should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495, Grand Cayman KY1-1106, Cayman Islands.

*Notice for Guidance*

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words “sued as (*the name stated on the Originating Summons*)”.
4. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description “Partner in the firm of (.....)” after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description “trading as (.....)” after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.

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**APPLICANTS**

**AND:**

**JOAN WILSON AS ADMINISTRATOR JOSEPH RODRIQUEZ WATLER**

**RESPONDENT**

**ACKNOWLEDGMENT OF SERVICE  
OF ORIGINATING SUMMONS**

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY.

Important: Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

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2. State whether the Defendant intends to contest the proceedings (*tick appropriate box*)

yes

no

Service of the Originating Summons is acknowledged accordingly

(Signed).....

[Attorney] for

Address for service: (please see overleaf)

*Please complete overleaf*

**Notes on address for service**

Attorney: where the Respondent is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Respondent may not act by a foreign attorney.

Respondent in person: where the Respondent is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

*Indorsement by Applicants' Attorney (or by Applicants if suing in person) of his name, address and reference, if any, in the box below.*

Clyde Allen  
Clyde H. Allen, Chambers,  
Attorneys-At-Law  
PO Box 31076SMB  
Jack & Jill Bldg, KY1-1205  
Grand Cayman  
Cayman Islands

*Indorsement by Respondent's Attorney (or by Respondent if suing in person) of his name, address and reference, if any, in the box below.*

[Empty box for indorsement by Respondent's Attorney]