

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 227 OF 2010

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

B E T W E E N:

SCOTIABANK & TRUST (CAYMAN) LTD

AND

WESLEY A. VERNON



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ORIGINATING SUMMONS

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TO:

Wesley A. Vernon  
PO Box 67  
Grand Cayman KY1-1301  
CAYMAN ISLANDS



LET THE DEFENDANT of the address set out above attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the \_\_\_\_\_ day of \_\_\_\_\_ 2010 at 9:30am on the hearing of an application by the Plaintiff of P.O. Box 689, Grand Cayman, KY1-1107, Cayman Islands for the following orders:

1. That a declaration be made that the Defendant is in default of payment of the principal sum payable under the following:
  - Variation of Charge registered on 31 October 2007 and shown by instrument #13404/07;

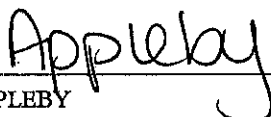
made between the Defendant and the Plaintiff, Scotiabank & Trust (Cayman) Ltd. (the "Charge"), by virtue of which the property in the Registration Section Savannah, Block 28C, Parcel 187 (the "Property") was charged by the Defendant

by way of legal charge in favour of the Plaintiff to secure the principal sum of CI\$214,000 and interest at the rate specified in the schedules thereto.

2. That the Defendant delivers possession of the Property to the Plaintiff.
3. That the Charge be enforced by the sale by private treaty of the Property (as well as by Public Auction).
4. That the terms and conditions of sale by private treaty be determined, if any.
5. That leave be granted to issue a Writ of Possession with respect to the Property.
6. Such further or other relief as the Court thinks fit.
7. Costs.

AND LET THE DEFENDANT within 14 days after service of this summons on them counting the day of service, return the accompanying Acknowledgement of Service to the Courts office.

DATED: 17<sup>th</sup> June 2010

  
\_\_\_\_\_  
APPLEBY  
Attorneys for the Plaintiff

- NOTES:
1. 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 the above date unless renewed by order of the Court.
  2. If the Defendant does not attend personally or by their attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient

**IMPORTANT**

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

This ORIGINATING SUMMONS was issued by Appleby, Attorneys-at-Law, for and on behalf of the Plaintiff whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman, KY1-1104, Cayman Islands (ref: NP/10187.437)

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CAUSE NO: OF 2010

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

B E T W E E N:

SCOTIABANK & TRUST (CAYMAN) LTD

Plaintiff

AND

WESLEY A. VERNON

Defendant

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ACKNOWLEDGMENT OF SERVICE OF ORIGINATING SUMMONS

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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 or otherwise participate in the proceedings (*tick appropriate box*)

yes

no

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Service of the Originating Summons is acknowledged accordingly

(Signed).....

[Attorney] for  
[Defendant in person]  
Address for service:

Notes on address for service:

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

Defendant in person: where the Defendant 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 principal office.

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

<p>Appleby Clifton House 75 Fort Street PO Box 190 Grand Cayman KY1-1104 CAYMAN ISLANDS</p> <p>Ref: NP/10187.437</p>
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Indorsement by defendant's Attorney (or by defendant if suing in person) of his name, address and reference, if any, in the box below.

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