

IN THE GRAND COURT OF THE CAYMAN ISLANDS
PROBATE AND ADMINISTRATION DIVISION

CAUSE NO: 232 OF 2010

IN THE MATTER OF THE ESTATE OF ROBERT CONWELL SOLOMON (DECEASED)
AND IN THE MATTER OF ORDER 85 OF THE GRAND COURT RULES
AND IN THE MATTER OF SECTION 8 OF THE SUCCESSION LAW (2006 REVISION)

BETWEEN:

- (1) VERNON VIGILANT
- (2) MARGARET JULIER



PLAINTIFFS

AND:

- (1) ALFRED SOLOMON AS ADMINISTRATOR OF THE ESTATE TO ROBERT CONWELL SOLOMON
(deceased)

DEFENDANT

ORIGINATING SUMMONS

TO: Alfred Solomon

LET THE 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, P.O. Box 495G, George Town, Grand Cayman.

By this Summons, which is issued on the application of above named Plaintiffs c/o Samson & McGrath, Attorneys at Law, 5th Floor Genesis Building, Genesis Close, George Town, Grand Cayman seeks the following relief against the first named Defendant;

1. An order that the First Named Defendant furnish and verify accounts of the Estate of Robert Conwell Solomon for the duration of his appointment forthwith.
2. An order that the Defendant be removed as administrator of the Estate of Robert Conwell Solomon.

3. An Order that the administration of the Estate of Robert Conwell Solomon be continued under the direction of the Court.
4. Pursuant to an Order that the Estate of Robert Conwell Solomon be continued under the direction of the Court, that an application be made under Section 102 and/or Section 103 of the Registered Land Law for partition and/or sale of the lands at Duck Pond, Block and Parcel 42A 4 and Duck Pond, Block and parcel 42 A 8.
5. An Order for costs against the Defendant.

If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

Dated the ^{22nd} day of June 2010

Samson & McGrath

Samson and McGrath

Attorneys at Law for the 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 Samson and McGrath, Attorney's at Law whose address for service is 5th Floor Genesis Building, George Town, Grand Cayman, PO Box 446 G.T.

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 495G, George Town, Grand Cayman.

Notes 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. If you wish to defend claims made in the originating summons, or intend to attend the proceedings and to participate in them so far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the acknowledgment of service.
3. 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.
4. 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)".
5. 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.
6. 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.
7. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorised 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.
8. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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DEFENDANT

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.

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

2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

yes

no

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.

Samson & McGrath
5th Floor Genesis Building
PO Box 446
Grand Cayman KY1 – 1106
Cayman Islands

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