

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 197 OF 2011

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

BETWEEN FIDELITY BANK (CAYMAN) LIMITED

PLAINTIFF

AND: WILMA C. EBANKS

FIRST DEFENDANT

MULTIMAX CONSTRUCTION REPAIR  
& MAINTENANCE SERVICES LTD.

SECOND DEFENDANT



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ORIGINATING SUMMONS

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LET THE DEFENDANTS attend before a Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the        day of        2011 at        am/pm on the hearing of an application by the Plaintiff for an order that:

1. This Honourable Court do sanction and permit the sale by private treaty or public auction of all that property registered in the Cayman Islands Land Register with absolute title and being particularly known as Registration Section West Bay North West, Block 4D, Parcel 173 ("the Property") by the Plaintiff as Chargee with a power of sale over the Property.
2. The Defendants and any other person occupying the Property do, within 28 days of this Order, vacate the Property and take all appropriate steps to give the Plaintiff vacant possession of the Property.
3. The Plaintiff do have leave to issue a Writ of Possession in relation to the Property at the expiry of the 28 days referred to in paragraph 2 above.
4. Such further or other relief as this Honourable Court may deem appropriate.

**AND LET THE DEFENDANTS** within 14 days of service upon him of this summons, including the day of service, return the accompanying Acknowledgment of Service to the Courts office.

**DATED** 24 May 2011

**FILED** May 2011



**CAMPBELLS,**  
Attorneys at Law for the Plaintiff

**NOTES:**

- (1) This Summons may not be served later than 4 calendar months, beginning with the above date unless renewed by order of the Court.
- (2) If the Defendant does not attend personally or by his attorney 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.

Time Estimate: 30 minutes

To: The Clerk of the Court

And To: The Defendants

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**ACKNOWLEDGEMENT 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).....

Address for service:



**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE**

**OF ORIGINATING SUMMONS**

The accompanying form of Acknowledgement 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 Acknowledgement 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 as far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the acknowledgement of service.
3. For the purposes 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 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 his 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