

IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION

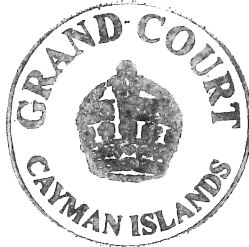
CAUSE NO: 14 OF 2012

In the Matter of The Partition Law (1997 Revision)

BETWEEN:

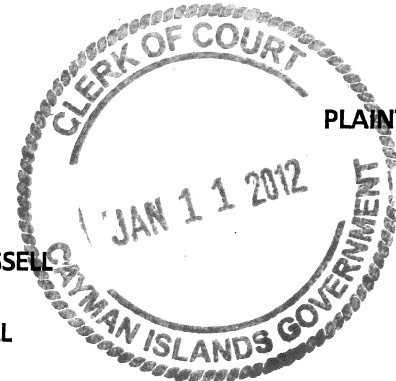
GAYLE CHAMBERS

PLAINTIFF



AND:

- (1) PHILLIP MCGREGORY RUSSELL
- (2) FRANK ERIC RUSSELL
- (3) SARNIE KENNEDY RUSSELL
- (4) MIKE JERVIS



DEFENDANTS

ORIGINATING SUMMONS

TO:

Phillip McGregor Russell
Frank Eric Russell
Sarnie Kennedy Russell
Mike Jervis

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 Gayle Chambers, c/o Samson & McGrath, George Town, Grand Cayman, seeks the following relief of the Court pursuant to the Partition Law (1997) Revision;

1. An Order for the sale and distribution of the proceeds to the plaintiff and the defendants in equal 1/5th shares of the following parcels of land:
 - 1.1 George Town Central Block 13D Parcel 183
 - 1.2 George Town Central Block 13D Parcel 29
 - 1.3 George Town Central Block 13E Parcel 34
 - 1.4 George Town Central Block 13E Parcel 185
2. An Order for costs.

Particulars of Cause of Action

1. The Plaintiff and the Defendants are all siblings and the only children of the late Alma Beulah Solomon.

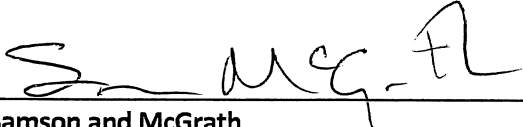
2. Alma Beulah Solomon died intestate on the 3rd January 2005 with the 5 named parties to these proceedings being the sole beneficiaries of her estate.
3. On the 26th July 2005 the plaintiff was granted letters of administration in the estate ('the estate') of Alma Beulah Solomon.
4. The real estate contained within the estate was as follows:
 - a. George Town Central Block 13D Parcel 183
 - b. George Town Central Block 13D Parcel 29
 - c. George Town Central Block 13E Parcel 34
 - d. George Town Central Block 13E Parcel 185

Hereinafter 'the parcels'.

5. On the 13th January 2006 the plaintiff as personal representative of the estate transferred the parcels to the plaintiff and the defendants as joint proprietors.
6. Since on or around 2008 the plaintiff has sought to realize her interest in the parcels and has sought consent of all parties to separate the parties interest in the parcels by way of internal transfer of interest in the parcels, sale and division of the proceeds or by some or all of the defendants buying out the interest of the plaintiff in the parcels. These attempts to resolve the matter have not been successful.
7. The Plaintiff now seeks the Courts assistance in determining the respective interest of the parties in the parcels and making orders as to the sale and division of the proceeds.

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 11th day of January 2012



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, Attorneys at Law for the Plaintiff whose address for service is 5th Floor Genesis Building, George Town, Grand Cayman, PO Box 446 G.T.

Acknowledgement of service of originating summons (0.10, 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 495G, George Town, Grand Cayman.

Notes for Guidance

Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.

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.

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.

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)".

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.

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.

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.

Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.

A Defendant acting in person may obtain help in completing the form at the Courts Office.

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE NO: OF 2012

In the Matter of The Partition Law (1997 Revision)

BETWEEN:

GAYLE CHAMBERS

PLAINTIFF

AND:

- (1) PHILLIP MCGREGORY RUSSELL**
- (2) FRANK ERIC RUSSELL**
- (3) SARNIE KENNEDY RUSSELL**
- (4) MIKE JERVIS**

DEFENDANTS

**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.

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

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

Samson & McGrath
5th Floor Genesis Building
P.O. 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.

[Empty box for defendant's Attorney indorsement]