

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. ⁴⁵⁷⁰ OF 2012

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

AND IN THE MATTER OF 382 WEST BAY POINT BLOCK 2C PARCEL 179

BETWEEN:

ROBERT ARIEL EBANKS

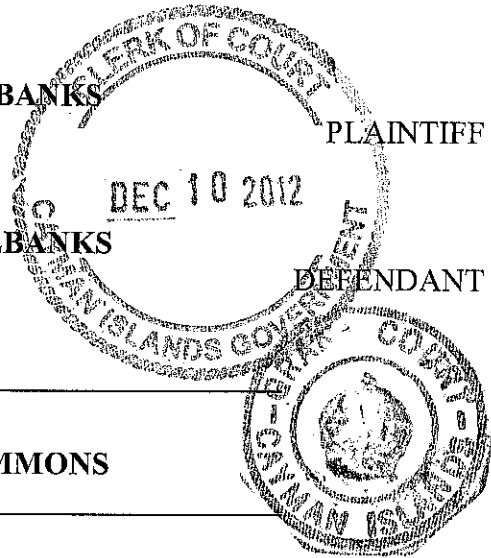
PLAINTIFF

AND:

HUDSON DEWEY EBANKS

DEFENDANT

ORIGINATING SUMMONS



LET THE DEFENDANT, within 14 days after service of this Summons on him, 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 the Plaintiff of 382 North West Point Road, West Bay, Grand Cayman, Cayman Islands and the beneficial owner of all that land described as being to the rear of 382 North West Point Road and registered as Parcel 179 of Block 2C of the West Bay South Registration Section of Grand Cayman (“the Property”) seeks the following orders:


1. The Defendant give effect to the agreement (as described in the Affidavit of Robert Ariel Ebanks dated 10th of December 2012), in that:-
 - a) he take all necessary steps and actions to effect the transfer of the Property to the Plaintiff within 30 days of this order; or

b) In the event that the Defendant fails to comply with the order as set out in paragraph 1 a) above or fails to take any of the said steps and actions, the Registrar or alternatively the Clerk of the Grand Court is hereby authorised (1) to sign such application or transfer of land documents as may be necessary to effect the said transfer of the Property for and on behalf of the Defendant and (2) take such steps and actions as shall be necessary or appropriate to effect such application of transfer. Upon such signature, the application or transfer shall be deemed for all purposes to constitute the valid application or transfer of the Defendant and the said steps and actions to be for and on behalf of the Defendant.

2. Costs in the Cause.

3. Such further order(s) as the Defendant may agree and/or this Honourable Court may seem just.

Dated the 10th day of December 2012.



PRIESTLEYS

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 outside the jurisdiction, 6 months*) beginning with the above stated date unless renewed by Order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given in the accompanying form.

In the event that that the Defendant acknowledge service, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

TO: CLERK OF THE COURT

AND TO: SONIA BUSH & ASSOCIATES (Attorneys to the Defendant)
Grand Pavillion Center
West Bay Road
P.O. Box 11139 APO
Grand Cayman
KY1-1008
Cayman Islands

**DIRECTIONS FOR ACKNOWLEDGEMENT 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, PO Box 495, 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 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 fourteen (14) days for acknowledging service, a Summons 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 authorized to act on behalf of the Company, but the Company can take no further steps in the proceedings without an Attorney acting on its behalf.
8. Where the Defendant is a MINOR or a MENTAL HEALTH 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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ROBERT ARIEL EBANKS

PLAINTIFF

AND:

HUDSON DEWEY EBANKS

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 Writ is being acknowledged.

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

[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 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.

Please complete overleaf

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

Priestleys
PO Box 30310
Units 11 & 12, Galleria Plaza
638 West Bay Road
Grand Cayman KY1-1202
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]