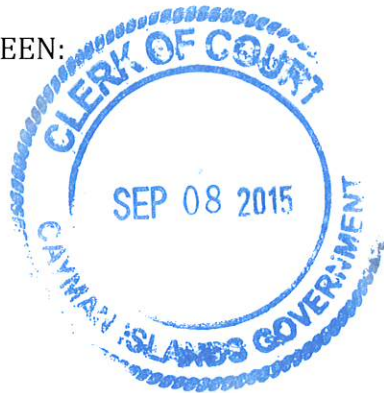


IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION

CAUSE NO. ¹⁵⁵ OF 2015
LEGAL AID NO:164/2014

BETWEEN:



AL HANDEL PEARSON

Plaintiff

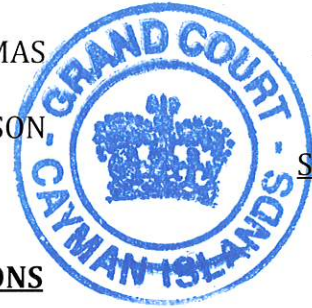
AND:

THERESA L. THOMAS

First Defendant

CHRISTINE PEARSON

Second Defendant



WRIT OF SUMMONS

TO: Ms. Theresa Thomas
George Town
Grand Cayman

AND: Ms. Christine Pearson
George Town
Grand Cayman

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs in respect of the claim set out on the next page.

Within 28 days after the service of the Writ on you, counting the day of service, you must either satisfy the claim of return to the Court Office, P.O. Box 495, George Town, Grand Cayman, Cayman Islands, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgement may be entered against you forthwith without further notice.

Issued this ^{8th} day of September 2015.

NOTE: - This Writ may not be served later than 4 calendar months (or, if leave is require to effect service out of the jurisdiction, 6 months) beginning with the date of issue renewed by order of the Court.

IMPORTANT

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

STATEMENT OF CLAIM

1. The Plaintiff and the First Defendant are the registered proprietors on the property registered on the Cayman Islands Land Registry as Registration Section George Town South Block 14E Parcel 379 ("the Property") since 14th July 2010. A copy of the land register is attached.
2. The Plaintiff and the First Defendant are registered as tenants in common.
3. The Plaintiff is the registered proprietor for ½ share and the First Defendant is the registered proprietor for the other ½ share of the Property.
4. The Plaintiff has been in and out of Northward Prison and as at 17th June 2014 he was an inmate.
5. The Property consists of six rental units being five one-bedroom and one two-bedroom. Each unit consists of a kitchen, living room and a small dining room.
6. The estimated monthly rental income is CI\$750.00.
7. The Plaintiff has been in and out of prison intermittently since 2009 until June 2014.
8. In July 2010, the Plaintiff agreed with the Defendants for them to rent the Property and to give him his half of the rental income.
9. At all material times, the Defendants were collecting rent from the Property.
10. Despite the Plaintiff's pleas since 2010 to date, the Defendants have been depriving him of his benefit being ½ share of rental income from the Property.
11. The Plaintiff has been recently released from prison on 24th June 2015 and upon much confrontation managed to occupy one of the bedrooms in the two-bedroom unit. The Second Defendant occupies the other bedroom.
12. The Plaintiff is entitled to benefit from his ½ of the rental income from the Property going forward and to occupy a portion of the Property.
13. The Defendants are in breach of contract with the Plaintiff.
14. The Defendants owes the Plaintiff rents in the amount of approximately CI\$21,000.00.

AND THE PLAINTIFFS claim is for:

1. The Defendants are jointly and severally liable and shall repay the Plaintiff CI\$21,000.00;

2. The Defendants to continue to collect the rental income from all units and to give the Plaintiff half the rental income less reasonable expenses;
3. The Defendant to provide the Plaintiff with accounts upon request;
4. The Plaintiff to continue to reside in one bedroom of the two bedroom unit;
5. The Defendants not to interfere with the Plaintiff's peaceful enjoyment of the Property;
and
6. Further or other relief as the Court deems fit.

If within the time for returning the Acknowledgment of Service, the Defendant undertakes to action the above claim further proceedings will be stayed.



Sonia Bush & Associates Law Firm
Attorneys for the Plaintiff

Notes for Guidance

1. Each Defendant (if there is more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 28 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.
3. 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 Writ of Summons)"
4. 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.
5. 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 (.....)" his name.
6. 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 step in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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 communication for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

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

Sonia Bush & Associates Law Firm
Attorneys-at-Law
Grand Pavilion Commercial Center,
802 West Bay Road,
P.O. Box 11139
Grand Cayman, KY1-1008
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.

