

IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION

G0171

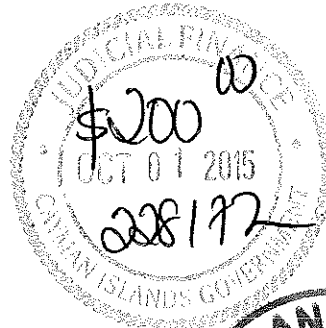
CAUSE NO. OF 2015

BETWEEN: RONALD EBANKS
CARLENE CARTER

1ST PLAINTIFF
2ND PLAINTIFF

AND: ARICK WILLIAMS
AARON WILLIAMS
CARLENE BARNES

1ST DEFENDANT
2ND DEFENDANT
3RD DEFENDANT

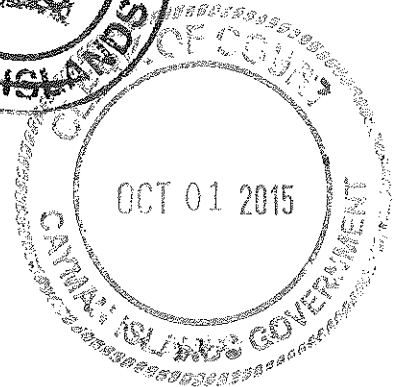


WRIT OF SUMMONS

TO: Mr. Arick Williams
76 King Road, West Bay
Grand Cayman

AND TO: Mr. Aron Williams
76 King Road, West Bay
Grand Cayman

AND TO: Ms. Carlene Barnes
76 King Road, West Bay
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 1st day of October 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 Plaintiffs, along with three others, are joint proprietors of property registered on the Cayman Islands land register as Registration Section West Bay North West Block 4D Parcel 149 ("the Property"). A copy of land register is attached.
2. The proprietors of the Property are Esther Tabatha Ebanks, Ronald Weston Ebanks, Carlene Lenita Carter, Edith Esther Williams and Jenny Naomi Robinson.
3. Esther Tabatha Ebanks who is the Plaintiffs' mother is 87 years old and resides on the Property.
4. Edith Esther Williams is Plaintiffs' sister owns a house and resides in the United States of America but has been in the Cayman Islands since August 2015. She is also staying at the Property during her visit on island.
5. The First and Second Defendants are the children of Edith Esther Williams and they are also residing on the Property.
6. The Third Defendant is the partner of the First Defendant and she also resides on the Property with her two minor children for the First Defendant.
7. The house on the Property consists of one regular size bedroom, two very small bedrooms, two bathrooms, one kitchen and one small living room.
8. The Plaintiffs' mother resides in the main bedroom, Edith Esther Williams and the Second Defendant resides in one of the small bedrooms and the First and Third Defendant and their children reside in the second small bedroom.
9. The Defendants often consume alcoholic beverages and become intoxicated. In such state the Defendants utter profanities and causes much disturbances to the Plaintiffs' mother particularly at nights when she is trying to rest.
10. The Defendants often have friends on the Property consuming alcoholic beverages and becoming intoxicated and often ended up sleeping in the living room sofa and on the floors.

11. The Plaintiffs' often purchase food for their mother and keep it in the kitchen cupboard but the Defendants consumes the food without conscience.
12. The Defendants keep the house extremely dirty and empty dirty food pots and pans are usually seen on the stove and in the living room.
13. The Plaintiffs' were told by doctors that their mother suffers from Alzheimer's disease and sometimes finds it very difficult to manage on her own. A formal report from the doctor is awaiting.
14. The Plaintiffs employed a nanny to take care of their mother but the nanny quit stating that she cannot bear the living condition and the conduct of the Defendants.
15. On Friday 25th September, Edith Esther Williams, the mother of the First and Second Defendants left the Plaintiffs' mother in the care of the First and Third Defendant. At or around 2:00 PM that afternoon driving around and searching and contacting the police to assist in finding their mother, the Plaintiffs found their mother with the Defendants who were already intoxicated at Joe Ena Liquor Store in West Bay.
16. At that time the first thing out of the Plaintiffs mother's mouth was "*I hope you brought me some food*". The Plaintiffs were distressed to see their mother being so hungry and sweating profusely from the lack of air-condition in the car. The Plaintiffs took their mother to Alfresco Restaurant to eat and the Second Plaintiff kept her for the weekend at her house.
17. The Plaintiffs and one other proprietor, namely Jenny Naomi Robinson ("the Concerned Parties") had many family meetings with the Defendants giving them the option of paying rent or vacating the Property.
18. At a family meeting in or around November 2014, the First and Second Defendants agreed to pay rent of CI\$150.00 each and the Plaintiffs agreed not to evict them at that time.
19. The Defendants continued to reside at the Property but failed to pay the agreed rents.
20. On 31st August 2015, the Concerned Parties wrote the Defendants a letter giving them notice to vacate the Property by 2nd September 2015. A copy of this letter is attached.

21. Subsequently, the First Defendant wrote the Plaintiffs confirming that he would vacate the Property by 6:00 PM on 8th September 2015. A copy of the letter is attached.

22. The First Defendant has failed to vacate the Property as of date hereof.

23. The Plaintiffs sought legal advice and a Letter before Action dated 10th September was sent to the Defendants. A copy of this letter is attached.

24. Despite of several notices to the Defendants to vacate the Property, the Defendants have failed to vacate the said Property and therefore are trespassing.

AND THE PLAINTIFFS claims is for:

1. The Defendants to vacate the Property.
2. The Defendants to be restrained from the Property unless they obtain prior permission from the Plaintiffs;
1. Costs; and
2. Further or other relief as the Court deems fit.

If within the time for returning the Acknowledgment of Service, the Defendant undertakes to vacate the Property further proceedings will be stayed.



Sonia Bush & Associates Law Firm
Attorneys for the Plaintiffs

This Writ is filed by Sonia Bush & Associates, Attorneys-at-Law for and on behalf of the Plaintiffs herein whose address for service and correspondence is Sonia Bush & Associates, Attorneys-at-Law, Alamander Way, Grand Pavilion Commercial Center, 802 West Bay Road, P.O. Box 11139, Grand Cayman, KY1-1008 Cayman Islands.

31st August 2015

Mr. Aron Williams & Mr. Arick Williams and Ms. Carlene Barnes
76 King Road
West Bay
Grand Cayman

Dear Sirs,

Esther T. Ebanks Residence
122 King Road, West Bay, Grand Cayman (the "Premises")

Further to our previous letters and family meetings, we have not received payment of C\$150.00 from Aron and Arick Williams for rent, which was agreed at our meeting in November 2014, at which point we agreed not to evict you but to give you time to obtain jobs to enable you to secure your own accommodation.

The house is also still extremely dirty and our Mother is being left alone which is dangerous as she falls asleep, leaving food cooking on the stove. On several occasions, different family members have visited Mrs. Ebanks and found her home alone, sleeping with the front and back doors not locked.


We have, therefore, hired a live-in helper to look after our Mother and now need room for the helper.

As discussed and agreed at our meeting on 22nd August, 2015, please vacate the above property by 2nd September 2015.


Yours faithfully



Ronald Ebanks



Carlene Carter



Jenny Robinson

Edith Williams

I Arick & Williams will be leaving the 8 of sept 2015
from the house of Esther. Ebanks 6 pm the latest

76 is the house number name of road is King

Arick Williams

Morris M. Garcia
Attorney-at-Law / Notary Public

Telephone: (345) 949-2212
Fax: (345) 949-6212
E-mail: morgarr@candw.ky

P.O. Box 253
Grand Cayman KY1-1501
Cayman Islands

September 10, 2015

**NOTICE TO QUIT PREMESIS
AT 76 King Rd, West Bay**

Messrs Aron & Arick Williams & Ms. Carlene Barnes
76 King Rd, West Bay, Grand Cayman

PRIVATE & CONFIDENTIAL

Dear Sirs & Madam

**Re: Premises at 76 King Rd, West Bay, Grand Cayman/Esther T. Ebanks Residence
/West Bay North West., Block 4B, Parcel 11**

We act and write on behalf of Ronald W. Ebanks and Carlene L. Carter ('our clients')
with respect to the above-captioned matter.

Our clients, who are your uncle and aunt respectively have instructed us that the family
allowed you to temporarily reside at your 87year old grandmother's above premises as
licensees with a view to enable you to obtain gainful employment and eventually secure
your own accommodation. There were certain obligations and responsibilities attached to
this license.

However you have failed to comply with the terms and conditions of the said license in
that you, among other things a) have failed to maintain the premises often leaving it
unclean, dirty and untidy b) placed your grandmother at grave risk by leaving her
unattended at the premises where various family members have found her alone sleeping
with food cooking on the stove and both front and back doors unlocked c) failed/refused
to contribute financially to utility bills, food etc while at the same time eating/drinking
whatever food or drink items belonging to your grandmother and d) consuming alcohol
and having friends congregate at the premises and behaving argumentatively and
aggressively while under the influence sometime resulting in physical altercations which
is upsetting to your grandmother.

As a result of these and others of which you are aware but not stated herein, our clients
can no longer allow you to continue living at the premises as your actions and behavior
have and continue to negatively impact their mother's health and well-being.

Morris M. Garcia

Attorney-at-Law/Notary Public

In the circumstances, our clients are left with no other option but to give ALL of you notice , as we hereby do on their behalf, to vacate the premises.

KINDLY TAKE NOTICE therefore that you, your servants, agents or otherwise are to vacate and surrender the premises within five (5) days of the date of this letter, ie by end of business on Tuesday, September 15th, 2015.

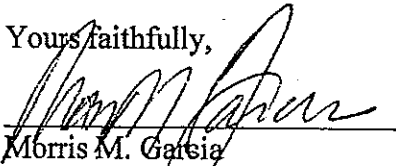
KINDLY TAKE FURTHER NOTICE that you must physically REMOVE all your personal belongings from the premises by or before that date including but not limited to all encumbrances, impediments, rubbish and derelict matters therefrom

PLEASE consider this a FINAL warning.

Your failure to comply with our demands within the requisite time frame will result in eviction proceedings been instituted against you without further notice and the exercise of our clients' other rights and remedies under the Law, with resulting costs to yourselves.

Your urgent attention to, and cooperation in this matter is greatly appreciated.

Yours faithfully,



Morris M. Garcia

Cc Ronald W Ebanks and Carlene L. Carter

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICES
OF WRIT OF SUMMONS

1. 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.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statements of Claim" appear on the top of page 2) the Defence must be served within 28 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgement is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 28 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgement against him without further notice.

3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See over for notes for guidance
Please complete overleaf

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
Alamander Way, 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.