

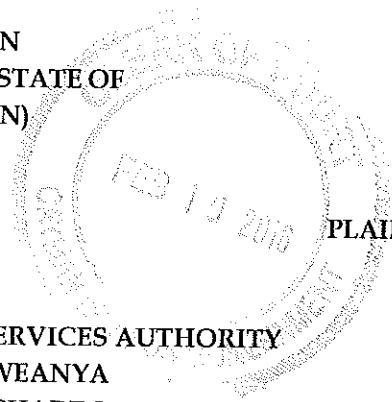
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 0037 OF 2016

BETWEEN:



KERRY DENISE RAMOON  
(AS ADMINISTRATRIX OF THE ESTATE OF  
TYLER MITCHEL RAMOON)

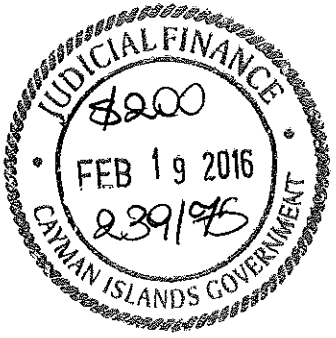


PLAINTIFF

AND:

- (1) CAYMAN ISLANDS HEALTH SERVICES AUTHORITY
- (2) DR. OBINNA ELEWEANYA
- (3) DR. HOWARD RICHARDS
- (4) DR. THOMAS QUINN
- (5) DR. CIARA BEST

DEFENDANTS



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WRIT OF SUMMONS

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TO: THE DEFENDANTS

THIS WRIT OF SUMMONS has been issued against you by the above named Plaintiff, of 107 Devon Road, Prospect, George Town, Grand Cayman, Cayman Islands Road, in respect of the claims set out on the next page.

Within 14 days after service of this Writ on you counting the day of service, you must either satisfy the claim or return to the Courts Office, P.O. Box 495, George Town, Grand Cayman, KY1-1106, 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 any intention to contest the proceedings, the Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 19<sup>th</sup> day of February 2016.

NOTE this Writ may not be served later than 4 calendar months beginning with the date of original issuance unless renewed by order of the Court

IMPORTANT

Directions for the Acknowledgement of service are given with the accompanying for

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GENERAL INDORSEMENT

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The Plaintiff's claim is for damages for injury and loss sustained as a result of the negligence and/or breach of duty of the Defendants, and/or their servants or agents in or about their treatment of Tyler Mitchell Ramoon at George Town Hospital between 3 February 2015 and 11 February 2015 which ultimately led to his death on or around 20 February 2016.

The Plaintiff claims:-

- (a) General damages for the pain and suffering of the deceased;
- (b) damages for the estate of the deceased pursuant to the Estates Proceedings Law (1995 Revision);
- (c) damages for bereavement pursuant to the Torts (Reform) Law (1996 Revision);
- (d) damages for loss of expectation of life;
- (e) damages for loss of dependency pursuant to the Torts (Reform) Law (1996 Revision);
- (f) Special damages;
- (g) Pre-judgment and post-judgment interest;
- (h) The costs of this action; and
- (i) Such further and other relief as to this Honourable may seem just.

DATED at Grand Cayman this 19<sup>th</sup> day of February 2016



\_\_\_\_\_  
Nelson & Co.  
Attorneys for the Plaintiff

THIS WRIT OF SUMMONS is filed by Nelson & Co., Attorneys-at-Law, attorney for the Plaintiff, whose address for service is that of his said attorneys at 31 The Strand, P.O. Box 2075, Grand Cayman KY1-1105 Cayman Islands.

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KERRY DENISE RAMOON  
(AS ADMINISTRATRIX OF THE ESTATE OF  
TYLER MITCHEL RAMOON)

PLAINTIFF

AND:

(1) CAYMAN ISLANDS HEALTH SERVICES AUTHORITY  
(2) DR. OBINNA ELEWEANYA  
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(5) DR. CIARA BEST

DEFENDANTS

ACKNOWLEDGMENT OF SERVICE OF WRIT OF 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.

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

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

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2. State whether the Defendant intend to contest the proceedings (tick appropriate box)

Yes                      No                     

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3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box)

Yes                      No                     

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Service of the Writ is acknowledged accordingly

Signed .....

Attorney for the Defendant

Address for service:

**Please complete overleaf**

**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 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.

Nelson & Company  
Attorneys at Law  
PO Box 2075  
31 The Strand  
46 Canal Point Drive  
Grand Cayman KY1-1105  
Attn: N Dixey / C Flanagan

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

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE  
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 495, 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 "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 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 judgment 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

### Notes for Guidance

1. Each Defendant (if there are 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 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.
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 (.....)" after his name.
6. 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.
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.