

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2016

BETWEEN: JERRY W. WOOD Plaintiff
AND: BRENDA A. WOOD Defendant

STATEMENT OF CLAIM

1. The Plaintiff is and was at all material times the lawful biological son of the Defendant and he resides at 79 Mimosa Lane and carries on business there at Bodden Town, Grand Cayman, Cayman Islands.
2. The Defendant is and was at all material times the biological mother of the Plaintiff and registered owner of Lands situated at Bodden Town, Grand Cayman, Cayman Islands on which the Plaintiff is in occupation and carries on business.
3. By an agreement made orally on or about 1981 and evidence by several family members entered into between the Plaintiff and the Defendant, the Defendant agreed to give the Plaintiff 2 acres of land in Bodden Town, Grand Cayman.
4. In Order to perfect the said gift of the 2 acres of land from the Defendant, the Plaintiff took the irremediable step to build his house on 1 acre of the said land and to carry on his bussing business on the other acre.
5. The Defendant gave the Plaintiff and his wife Natalie Renee Wood a Transfer of title on or about 1st October 2003 to the 1 acre of land that he built his house on, leaving title to be given to the Plaintiff to the other acre of

Valley, Block, Block 38D, Parcel 21 registered in the name of the Defendant is extinguished pursuant to the registered Land Law (2004 Revision) as read with the Limitation Law (1996 Revision) by virtue of the fact that the Plaintiff has been in possession of the said 1 acre of land and has maintained quiet open and undisturbed peaceful enjoyment of it for more than 12 years.

10. Further, and in the alternative the Defendant voluntarily transferred possession of the said other 1 acre of land to the Plaintiff and intended to relinquish title and control and or dominion over the said other 1 acre of land to the Plaintiff to have absolute ownership over the said 1 acre of land. Therefore, the Defendant holds the title to the said other 1 acre of land on constructive trust for the Plaintiff.
11. The Defendant intends, unless restrained by this Honourable Court from doing so, to complete the sale of Lower Valley, Block 38D, Parcel 21 without taking off and transferring the remaining other 1 acre therefrom that she gave to the Plaintiff.

And the Plaintiff Claims:

1. The said 1 acre situated at Block 38D, Parcel 21 be demarcated from Lower Valley, Block 28D, Parcel 21 and titled thereof be registered to the Plaintiff.
2. A declaration that the Defendant holds the said 1 acre of land situated on Block 38D, Parcel 21 on constructive trust for the Plaintiff.
3. A declaration that the Defendant's title to the said 1 acre of land situated on Block 38D, Parcel 21 is extinguished by virtue of section 135 the Registered Land Law (2004 Revision) as it is read with Section 19 of the Limitation Law (1996 Revision).

4. An Injunction to restrain the Defendant by herself her servants or agents or otherwise howsoever from selling and or disposing of Lower Valley, Block 28D, Parcel 21 without the Consent of the Plaintiff.
5. Damages
6. Cost
7. Such Further and other Relief as the Court deem proper.

Dated this 27 day of April 2016



A. Steve McField & Associates,
Attorney-at-Law for the Plaintiff

To: The Clerk of The Court
And to: The Defendant
Bodden Town,
Grand Cayman

THIS Affidavit was FILED by A. STEVE MCFIELD & ASSOCIATES of P.O. Box 680 GT, Grand Cayman, KY1-1107, Cayman Islands, Suite D2, Cayman Business Park, 10 Huldah Avenue, Attorneys-at-Law, whose address for service is that of his said Attorney-at-Law.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2016

BETWEEN: JERRY W. WOOD Plaintiff
AND: BRENDA A. WOOD Defendant

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 costs of applying to set it aside.

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

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)

Service of the Writ is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in person]

Address for service:

Notes on address for service

Please complete overleaf

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

A. Steve McField & Associates
Suite D2, Cayman Business Park,
10 Huldah Avenue,
P.O. Box 680 GT,
KY1-1107, Grand Cayman,
Cayman Islands

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

Acknowledgement of service of writ of summons (0.12, r.3)

**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 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 "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

Please complete overleaf

Notes for Guidance