

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

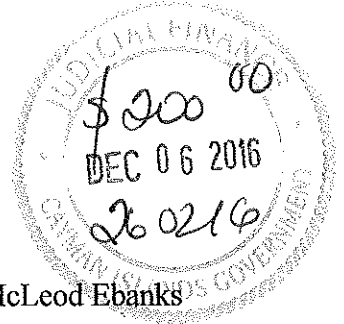
CAUSE No. *G0283* **of 2016**

IN THE MATTER of the Estate of Gordon McLeod Ebanks (Deceased)

AND IN THE MATTER of GCR Order 85, rule 2

BETWEEN:

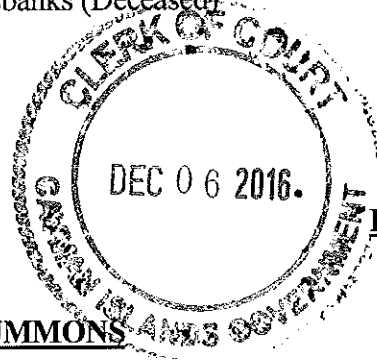
- (1) **GORDON EBANKS** (as a beneficiary of the Estate of Gordon McLeod Ebanks (Deceased))
- (2) **RONALD EBANKS** (as a beneficiary of the Estate of Gordon McLeod Ebanks (Deceased))
- (3) **COLIN EBANKS** (as a beneficiary of the Estate of Gordon McLeod Ebanks (Deceased))



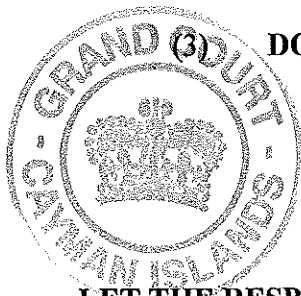
Applicants

AND:

- (1) **DOLOR E. PASCUAL** (in her capacity as Personal Representative and/or Administratrix of the Estate of Paulina Q Ebanks (Deceased))
- (2) **EUGENIO P. PASCUAL**
DOLOR E. PASCUAL



Respondents



ORIGINATING SUMMONS

LET THE RESPONDENTS within [14 days] after service of this Summons on them, counting the day of service, return the accompanying Acknowledgement of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

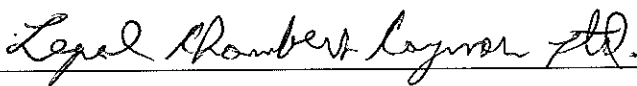
By this Summons, which is issued on the application of Gordon Ebanks, Roland Ebanks and Colin Ebanks, the Applicants, brings an Application pursuant to GCR Order 85 Rule 2 for the following orders:

1. That the First, Second and Third Respondents hold the Applicants' combined distribution of the net proceeds of sale of the property identified as West Bay North West Block 3D Parcel 91 in the amount of CI\$ 70,867.50 as trustees and/or constructive trustees for the Applicants, as well as, hold on trust as trustees and/or constructive trustees any other sum/s due to the Applicants from a distribution of the Estate.

2. The First, Second and Third Respondents are jointly and severally liable to the Applicants to make good the sum of CI\$ 70,867.50, less CI\$ 15,000.00, advanced by them from the net proceeds of sale of West Bay North West Block 3D Parcel 91.
3. That until the Second and Third Respondents pay into Court such balance and interest as are due to the Applicant that a lien be placed on the property identified as George Town South Block 14D and Parcel 98H84 for the sum of CI\$ 55,867.50.
4. Liberty to apply on 7 days notice.
5. The Respondents pay the Applicant's costs of and occasioned by this Application and any subsequent legal action.
6. Such further order/s or other relief as the Court deems fit.

If the Respondents do not acknowledge service, such judgment may be given or order made against or in relation to them as the Court may think just and expedient.

Dated the 5 day of December 2016.



Attorneys for the Applicant

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

THIS ORIGINATING SUMMONS was issued by **LEGAL CHAMBERS CAYMAN LTD.**, ATTORNEYS-AT-LAW for the Applicants herein whose address for service is that of their said Attorney-at-Law, P.O. Box 2677, 62 Hospital Road Plaza, (Second Floor, Unit H) George Town, Grand Cayman, KY1-1111, Cayman Islands.

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF ORIGINATING SUMMONS

The accompanying form of Acknowledgment of Service should be completed by an Attorney acting on behalf of the Respondents or by the Respondents 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.

Notes for Guidance

1. Each Respondent (if there are more than one) is required to complete an Acknowledgment 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 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.
4. Where the Respondent 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 Respondent 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 Respondent 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 Respondent are 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.
8. Where the Respondent is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
9. A Respondent acting in person may obtain help in completing the form at the Courts Office.

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE No. ^{G02.33} of 2016

IN THE MATTER of the Estate of Gordon McLeod Ebanks (Deceased)

AND IN THE MATTER of GCR Order 85, rule 2

BETWEEN:

- (1) **GORDON EBANKS** (as a beneficiary of the Estate of Gordon McLeod Ebanks (Deceased))
- (2) **RONALD EBANKS** (as a beneficiary of the Estate of Gordon McLeod Ebanks (Deceased))
- (3) **COLIN EBANKS** (as a beneficiary of the Estate of Gordon McLeod Ebanks (Deceased))

Applicants

AND:

- (4) **PAULINA Q EBANKS (DECEASED)** (in her capacity as Administratrix of the Estate of Andrew McLeod Ebanks (Deceased))
- (5) **EUGENIO P. PASCUAL**
- (6) **DOLOR E. PASCUAL**

Respondents

**ACKNOWLEDGEMENT 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 Respondent by whom or on whose behalf the service of the Originating Summons is being acknowledged.
-
2. State whether the Respondent intends to contest or otherwise participate in the proceedings (tick appropriate box)
-

yes

no

Service of the Originating Summons is acknowledged accordingly

(Signed).....

Attorney for

Respondent in person

Address for service:

Notes on address for service

Attorney: where the Respondent are represented by an attorney, state the attorney's place of business in the Cayman Islands. A Respondent may not act by a foreign attorney.

Respondent in person: where the Respondent are 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 principal office.

Please complete overleaf

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

Attorneys Name and Contact

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