

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 0009 OF 2017

IN THE MATTER OF THE REGISTERED LAND LAW (2004 REVISION)

**BETWEEN:** THE CAYMAN ISLANDS CIVIL SERVICE  
ASSOCIATION CO-OPERATIVE CREDIT UNION **Plaintiff**

**AND:** SUSAN MARIE SOLOMON **Defendant**

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**ORIGINATING SUMMONS**

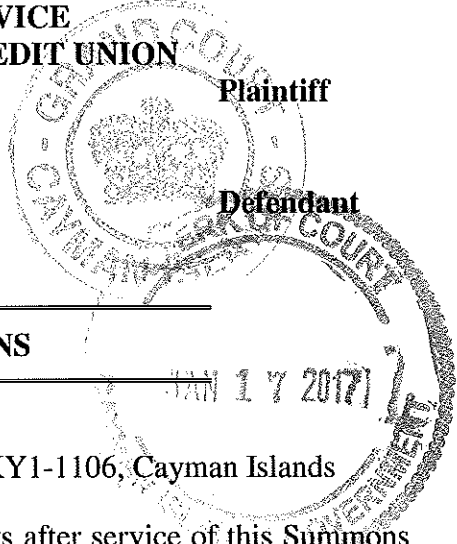
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TO: Susan Marie Solomon of PO Box 2359, Grand Cayman KY1-1106, Cayman Islands

LET THE DEFENDANT, Susan Marie Solomon, within 14 days after service of this Summons on them, counting the day of service, return the accompanying Acknowledgement of Service to the Court office, PO Box 495, George Town, Grand Cayman KY1-1106.

BY THIS SUMMONS which is issued on the application of the Plaintiff, The Cayman Islands Civil Service Association Co-Operative Credit Union Limited, the Plaintiff seeks relief pursuant to the provisions of the Registered Land Law (2004 Revision) as follows:

1. The Defendant entered into an agreement with the Plaintiff on 23 August 2012 for a loan in the amount of CI\$31,998.11 (the "Loan Agreement"). The terms of the Loan Agreement were, inter alia, as follows:
  - a. That the Defendant would repay the principal sum to the Plaintiff with interest at a rate of 6.75% per annum by equal monthly instalments of CI\$368.00 over a period of 120 months, commencing 30 December 2007;
  - b. Collateral security for the loan was a First Charge over the property described as Registration Section: Spotts, Block 25B, Parcel 542 (the "Property") and member shares with the Plaintiff;

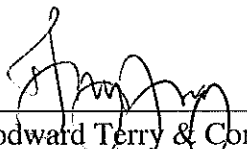


- c. In the case of any default, unless excused by the Board of Directors of the Plaintiff, the entire balance of the loan shall become immediately due and payable on demand; and
  - d. The Defendant jointly and severally promise to pay all fines imposed in accordance with the rules of the Plaintiff, for failure to comply with the terms of the Loan Agreement together with all costs or expenses, including legal fees, incurred in the collection of any sum due.
2. The Plaintiff advanced the loan amount of CI\$31,998.11 to the Defendant in accordance with the Loan Agreement.
3. The Defendant defaulted on the terms of payment contained in the Loan Agreement.
4. Formal Demands were made pursuant to The Registered Land Law (Revised) and the Property listed for sale.
5. The Defendant has not allowed the Plaintiff's Real Estate Agent, Coldwell Banker, access to the Property to show the Property to potential purchasers.

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6. As the Defendant is no longer allowing access to the Property, the Plaintiff is now seeking a Writ of Possession.

Dated this 1<sup>st</sup> day of January, 2017

  
Woodward Terry & Company  
Attorney for the Plaintiff

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

NOTE: This summons may not be served later than 4 calendar months (*or if leave is required to effect Notice out of the jurisdiction, 6 months*) beginning with that date, unless renewed by Order of the Court.

**IMPORTANT:**

Directions for acknowledgement of service are given with the accompanying forms.

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This Originating Summons was filed by Woodward Terry & Company, Attorneys-at-Law, for and on behalf of the plaintiff whose address for service is PO Box 822, Suite # 10, 2<sup>nd</sup> Floor, Jack & Jill Building, 19 Fort Street, George Town, Grand Cayman, Cayman Islands, British West Indies.

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

**CAUSE NO:** 9 **OF 2017**

**IN THE MATTER OF THE REGISTERED LAND LAW (2004 REVISION)**

**BETWEEN: THE CAYMAN ISLANDS CIVIL SERVICE  
ASSOCIATION CO-OPERATIVE CREDIT UNION**  
**Plaintiff**

**AND: SUSAN MARIE SOLOMON**  
**Defendant**

**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.

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

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2. State whether the Defendant intends to contest the proceedings or otherwise participate in the proceedings (tick appropriate box)  
 yes       no

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Service of the Originating Summons is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in Person]

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.

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

Woodward Terry & Company  
Attorneys-at-Law  
PO Box 822, Suite # 10, 2<sup>nd</sup> Floor  
Jack & Jill Building, 19 Fort Street  
George Town, Grand Cayman  
Cayman Islands  
British West Indies

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

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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 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 KY1-1106.

**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. 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 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 Originating Summons)".
5. 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.
6. 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.
7. 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.
8. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.