

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CIVIL DIVISION

CAUSE NO: *G0026* OF 2017

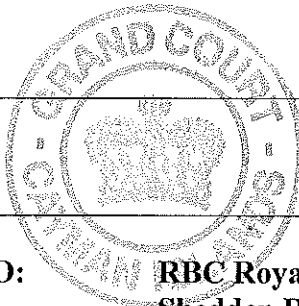
IN THE MATTER OF Section 64 (2) 72(1) and 75(1) of the Registered Land Law (2004) Revision

BETWEEN: NORMAN GILLESPIE

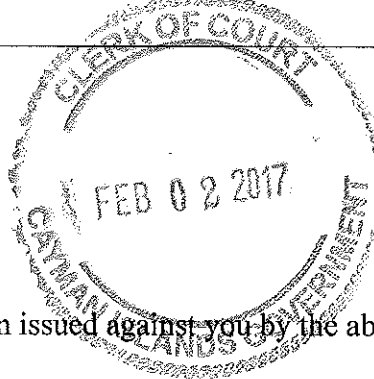
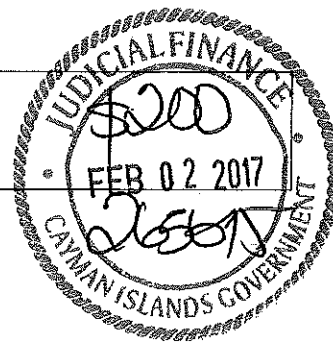
PLAINTIFF

AND: RBC ROYAL BANK OF CANADA (CAYMAN) LTD

DEFENDANT



ORIGINATING SUMMONS



TO: RBC Royal Bank of Canada  
Shedden Rd.  
George Town  
Grand Cayman, KY1-1106  
Cayman Islands

THIS ORIGINATING SUMMONS has been issued against you by the above-named Plaintiffs in respect of the claim set out on the next page.

Within 14 days after the service of this Originating Service on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P. O. Box 495GT, George Town, Grand Cayman, 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 judgment may be entered against you forthwith without further notice.

Issued this *2* day of *Feb* 201*7*

IMPORTANT

Directions for acknowledgment of service are given with the accompanying form.

NOTE: This Originating 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 the date of issue unless renewed by Order of the Court.

### INDORSEMENTS

- (a) The Plaintiffs claim is for an Injunction restraining and prohibiting the Defendants, whether by themselves, their servants or agents from any and all actions pursuant to section 64(2) of the Registered Land Law (2004 Revision) the objective of which is to list, and proceed to sell the property more specifically identified as Registration Section-George Town South, Block 14E, Parcel 577 which is owned by me and my deceased spouse Dora Wilks Gillespie and which the Defendants hold the first Legal Charge over as any such action will be in breach of section 75(1) of the Registered Land Law (2004 Revision) and unreasonable.
- (b) The Plaintiff also seek an Order of Mandamus restraining and preventing the Defendant from listing and selling the Property and directing the Defendants on equitable and humanitarian grounds, to grant to the Plaintiff, the opportunity to continue the process of actively seeking to resolve the matter of paying down the arrears; upon the Plaintiff being granted Letters of Administration of his deceased spouses estate, or alternatively to seek financing by another lending institution.



NORMAN GILLESPIE (PLAINTIFF)

This **Originating Summons** was prepared and issued by Dennis Brady and Claudia Brady, the Plaintiffs herein whose address for service is Building A3 Trinity Square, Eastern Ave, George Town, Grand Cayman, P. O. Box 11740 APO, Grand Cayman, KY1-1009, Cayman Islands.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CIVIL DIVISION

CAUSE NO: *6006* OF 2017

IN THE MATTER OF Section 64 (2) 72(1) and 75(1) of the Registered Land Law (2004) Revision

BETWEEN: NORMAN GILLESPIE PLAINTIFF

AND: RBC ROYAL BANK OF CANADA (CAYMAN) LTD DEFENDANT

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF  
ORIGINATING SUMMONS**

**Important:** Read the accompanying direction 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

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

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

Yes  No

Service of the Originating Summons is acknowledged accordingly

(Signed) .....

[Attorney] for

[Defendant in person]

This **Originating Summons** was prepared and issued by Dennis Brady and Claudia Brady, the Plaintiffs herein whose address for service is Building A3 Trinity Square, Eastern Ave, George Town, Grand Cayman, P. O. Box 11740 APO, Grand Cayman, KY1-1009, Cayman Islands.

**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 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:

Norman Gliiespie  
Building B6 Crown Square, Eastern Ave,  
P. O. Box 11740 APO, Grand Cayman,  
KY1-1009, Cayman Islands

Indorsement by Defendants’ attorney (or by Defendants if suing in person) of his name, address and reference, if any, in the box below:

The **Originating Summons** was issued and prepared by Dennis Brady and Claudia Brady, the Plaintiffs herein whose address for service is Building A3 Trinity Square, Eastern Ave, George Town, Grand Cayman, P. O. Box 11740 APO, Grand Cayman, KY1-1009, Cayman Islands.

**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 14 days for acknowledging service, an Originating Summons 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 Originating 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 NAME, 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 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.

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