

IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION

In the Matter of The Partition Law (1997 Revision)

CAUSE NO. 39 OF 2017

BETWEEN

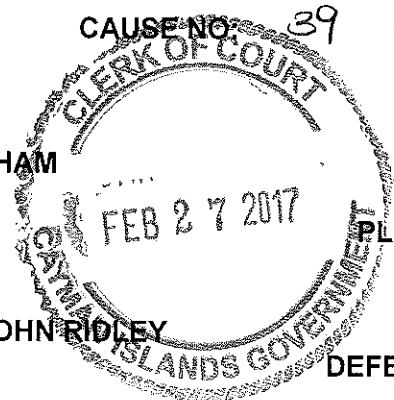
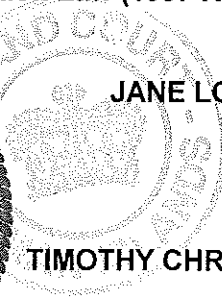
JANE LOUISE WAREHAM

AND:

TIMOTHY CHRISTOPHER JOHN RIDLEY

PLAINTIFF

DEFENDANT



ORIGINATING SUMMONS

TO:

TIMOTHY C. RIDLEY of #302, Canal Point Drive, Grand Cayman

LET THE DEFENDANT, within 14 days after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

By this Summons, which is issued on the application of JANE LOUISE WAREHAM, c/o McGrath Tonner, George Town, Grand Cayman, seeks the following relief of the Court pursuant to the Partition Law (1997) Revision;

1. An Order for the sale and distribution of the proceeds to the Plaintiff and the Defendant in equal shares or such shares to be determined of the following parcel of land:
 - 1.1 West Bay Beach South Block 12C, Parcel 344 ('the property')
2. An Order for costs.

Particulars of Cause of Action

1. The Plaintiff and the Defendant were in a common law relationship.
2. On or about 27th July 2007 the Plaintiff and Defendant became joint proprietors of the property located at West Bay Beach South Block 12C, Parcel 344 and known as #302 Canal Point Drive.
3. The parties resided in the property together with the child of the family, namely Lilla Kikiera Foye Ridley (D.O.B. 1st October 2008) until in and around April 2011 when the Plaintiff relocated to Florida with the child of the relationship.
4. The parties' relationship subsequently broke down in and around April 2015. Since then the Plaintiff has sought to realize her interest in the jointly owned property but the Defendant has refused to recognise the Plaintiff's interest in the property.

5. All attempts to resolve the matter have thus far been unsuccessful.
6. The property has an estimated value of US\$2,950,000.
7. The Plaintiff now seeks the Court's assistance in determining the respective interests of the parties in the property and making orders as to the sale and division of the proceeds.

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

Dated the 27th day of February 2017



McGrath Tonner
Attorneys-at-Law for the Plaintiff

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.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

This Originating Summons was issued by McGrath Tonner, Attorneys at Law for the Plaintiff whose address for service is 5th Floor Genesis Building, George Town, Grand Cayman, PO Box 446 G.T.

Acknowledgement of service of originating summons (0.10, r.5)

**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 495G, George Town, Grand Cayman.

Notes for Guidance

Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.

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.

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.

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)".

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.

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.

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.

Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.

A Defendant acting in person may obtain help in completing the form at the Courts Office.

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JANE LOUISE WAREHAM

PLAINTIFF

AND:

TIMOTHY CHRISTOPHER JOHN RIDLEY

DEFENDANT

**ACKNOWLEDGMENT 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.

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

State whether the Defendant 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

[Defendant in person]

Address for service:

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 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.

McGrath Tonner
5th Floor Genesis Building
P.O. Box 446
Grand Cayman KY1 – 1106
Cayman Islands

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

[Empty box for defendant's attorney indorsement]