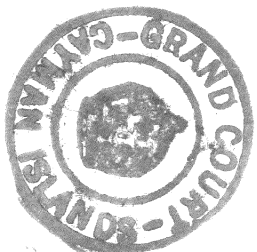


IN THE GRAND COURT OF THE CAYMAN ISLANDS  
CIVIL DIVISION

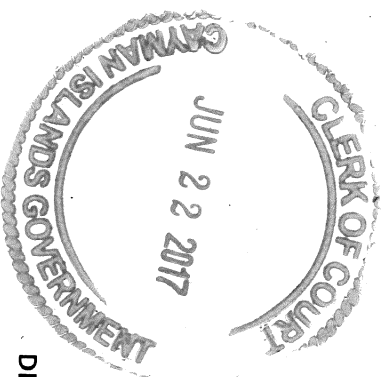


CAUSE NO: 107 OF 2017

In the Matter of The Partition Law (1997 Revision)

BETWEEN:

PAUL COLLINS



PLAINTIFF

AND:

ROBERT ANNIFORD

DEFENDANT

ORIGINATING SUMMONS

TO:

ROBERT ANNIFORD of P.O. Box 1013 GT, Grand Cayman.

**LET THE DEFENDANT**, within 14 days after service of this Summons on him, 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 PAUL COLLINS, c/o McGrath Tonner, George Town, Grand Cayman, seeks the following relief of the Court pursuant to the Partition Law (1997 Revision):

1. A Declaration as to the respective interests of the parties and an Order for sale and distribution of the proceeds to the Plaintiff and Defendant in the following parcel of land:
  - 1.1 Registration Section West Bay North West, Block 1D Parcel 552 ("the property")
  2. An Order for costs.

Particulars of Cause of Action

1. On or about 15<sup>th</sup> November 2000 the Plaintiff and Defendant became joint proprietors of the property located at Registration Section West Bay North West, Block 1D Parcel 552 together with Daphne Collins, the wife of the Plaintiff. The Defendant is the son of Daphne Collins.
2. The Plaintiff and Daphne Collins resided in the property until Daphne Collins died on 29 June 2015.
3. Since the death of Daphne Collins the Plaintiff has sought to realize his share of the property by seeking an agreement for sale and partition with the Defendant. The Defendant has refused to sell the property or sever the joint tenancy.
4. The property has an estimated value of CI\$275,000.
5. The Plaintiff now seeks the Courts assistance in determining the respective interest of the parties 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 25<sup>th</sup> day of June 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.

**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**

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.

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

**CAUSE NO:                      OF 2017**

**In the Matter of The Partition Law (1997 Revision)**

**BETWEEN:**

**PAUL COLLINS**

**PLAINTIFF**

**AND:**

**ROBERT ANNIFORD**

**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.

- 
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 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  
5<sup>th</sup> Floor Genesis Building  
PO 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.

