

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CASE NO: 118 OF 2017

BETWEEN: DENNISON BENTLEY POWERY Plaintiff



AND: BEN SMITH aka BEN EBANKS Defendant

ORIGINATING SUMMONS - SUMMARY POSSESSION

TO: Ben Smith aka Ben Ebanks  
Bramble Close  
West Bay



AND TO: Every other person in occupation of the property comprised in the same registration  
West Bay, Block 4B, Parcel 277.

LET ALL PERSONS concerned attend before the Judge in chambers, at the Law Courts,  
George Town, Grand Cayman on the day of 2017, at o'clock, on the  
hearing of an application by the Plaintiff for an order that:

1. That the person(s) in occupation is in occupation without license or consent;
2. The Dennison Bentley Powery registered owner do recover possession of the said property on the grounds that he are entitled to possession and;
3. Cost be awarded against the Defendant.

Dated the 5 day of July 2017

A. Steve McField & Associates  
Attorney-at-Law for the Plaintiff

THIS Originating Summons was FILED by A. STEVE MCNEIL & ASSOCIATES of P.O. Box 680 GT, Grand Cayman, KY1-1107, Cayman Islands, Suite D2, Cayman Business Park, 10 Huidah Avenue, Attorneys-at-Law, whose address for service is that of his said Attorney-at-Law.

**TIME ESTIMATE:** The estimated length of this summons is 45 minutes.

**NOTE**—Any person occupying the premises who is not named as a defendant by this summons may apply to the Court personally or be joined as a defendant. If a person occupying the premises does not attend personally or by attorney at the time and place above-mentioned, such order will be made as the Court may think just and expedient.

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.

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AND: BEN SMITH aka BEN EBANKS 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 requested 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 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 Writ is being acknowledged.

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

Service of the Writ 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.

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

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