

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 123 OF 2017

**In the Matter of Order 80 of the Grand Court Rules
And in the Matter of s.14 of the Grand Court Law**

And in the Matter of s.18 of the Mental Health Law (2013 Revision)

And in the Matter of Mrs. Kathleen Marie Kipp

Between:

Kristin Elizabeth Emond

Applicant

And:

Kathleen Marie Kipp

Respondent



ORIGINATING SUMMONS



LET ALL PARTIES CONCERNED attend before 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 Applicant that the Court makes the following orders:

1. That the Applicant, Kristin Elizabeth Emond, daughter of the said Kathleen Marie Kipp (the Patient), be appointed as Guardian over the Patient's estate and effects until such time as the Patient becomes of sound mind with the following powers conferred upon her:-
 - (a) To make decisions about the patient's care, treatment and personal welfare;
 - (b) To control and manage the Patient's property, affairs and assets of the Patient.
2. That the Applicant be appointed Receiver in relation to the administration of the estate of the Patient.
3. Such further orders as this Honourable Court may deem appropriate.

AND LET THE DEFENDANT within 14 days after service of this summons on her counting the day of service, return the accompanying Acknowledgment of Service to the Courts office.

Dated the 19th day of July 2017

KSG Attorneys at Law

NOTES:-

- (1) This Summons may not be served later than 4 calendar months (or, if leave is required to effect
- (2) service out of the jurisdiction, 6 months) beginning with the above date unless renewed by order of the Court.
- (2) If a defendant does not attend personally or by his attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient.

IMPORTANT

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

**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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| | | |
|-----------------|--------------------------------|-------------------|
| Between: | Kristin Elizabeth Emond | Applicant |
| And: | Kathleen Marie Kipp | Respondent |

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.

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

.....
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.

Please complete overleaf

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

KSG Attorneys at Law
42 North Church Street
P.O. Box 2255
Grand Cayman KY1-1107
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.

