

IN THE GRAND COURT OF THE CAYMAN ISLANDS

~~PROBATE DIVISION~~

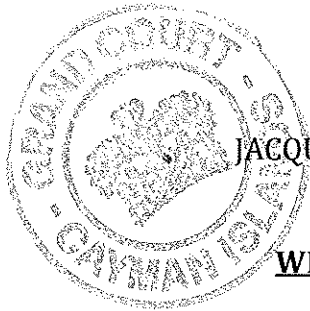
CAUSE NO. 133 OF 2017  
LEGAL AID #145 OF 2017

IN THE MATTER OF THE ESTATE OF DONNA PATRICIA THERESA REID, DECEASED.

BETWEEN: RORY REID Plaintiff

AND: LORNA REID First Defendant

AND: JACQUELINE RICHARDSON Second Defendant



WRIT OF SUMMONS



TO: Ms. Lorna Reid  
228 Bayfield, Savannah, Grand Cayman (Home)  
c/o Clifton Hunter High School, Grand Cayman (Work)

Ms. Jacqueline Richardson  
553 Marina Drive, Prospect (Home)  
Sunrise Cottage Nursing Home, 147 Austin Connolly Drive, East End (Work)

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

Within 28 days after the service of the Writ on you, counting the day of service, you must either satisfy the claim of return to the Court Office, P.O. Box 495, George Town, Grand Cayman, Cayman Islands, 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 judgement may be entered against you forthwith without further notice.

Issued this 7 day of July 2017.

NOTE: - This Writ may not be served later than 4 calendar months (or, if leave is require to effect service out of the jurisdiction, 6 months) beginning with the date of issue renewed by order of the Court.

**IMPORTANT**

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

## STATEMENT OF CLAIM

1. The Plaintiff is a named beneficiary under the Will dated 5/3/2014 ("the Will") of Donna Patricia Reid who is the Plaintiff's mother ("The Deceased").
2. The Will provides that the Plaintiff, as a named beneficiary is entitled to property registered on the Cayman Islands land register as Registration Section South Sound Block 15C Parcel 288HC also known as L'Ambience, Building H, Apartment #36 ("the Property").
3. The Plaintiff's mother passed away on 6<sup>th</sup> March 2014.
4. The First and Second Defendants ("the Defendants") are the named Executors of the estate of the Deceased.
5. The Defendants knew of the Will and took legal advice on or before 9<sup>th</sup> March 2015.
6. On 5<sup>th</sup> May 2017, the Defendants made an Application for the Grant of Probate.
7. The Defendants have failed to administer the Estate of the Deceased in accordance with the Probate and the Succession laws of the Cayman Islands.
8. The Property forms a part of a Strata Corporation registered as Strata # 288 and incurred monthly strata fees which have been unpaid since the passing of the Deceased.
9. On 9<sup>th</sup> December 2016, the Grand Court of the Cayman Islands issued an order for the Strata Corporation to repossess the Property and costs against the Plaintiff.
10. On 1<sup>st</sup> January 2017, after the Property was repossessed, the Plaintiff entered a "room rental agreement" with Errol McLaughlin to pay CI\$700.00 per month for rooming at a property located at 2625 Shamrock Road, Bodden Town.
11. The Plaintiff could not sustain the rent and he was evicted which resulted in him ~~sleeping in his car with his personal belongings for a period of time~~

### AND THE PLAINTIFFS claims:

1. The Defendants to provide the Strata Account Statement from 6<sup>th</sup> March 2014 up to 9<sup>th</sup> December 2016;

2. The Defendants to provide a letter from the Strata Corporation or their attorneys with details of the conduct of the Strata Corporation with the Property since their repossession on 9<sup>th</sup> December 2016 including but not limited to Accounts Statement for the Property from 9<sup>th</sup> December 2016 to the date hereof;
3. The Defendants to distribute the Property assigned to the Plaintiff under the Will or the equivalent value thereof to the Plaintiff;
4. The Defendants to compensate the Plaintiff for Damages.

If within the time for returning the Acknowledgment of Service, the Defendant undertakes to consent to the claims from claim 1 to claim 4, further proceedings will be stayed.



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**RORY REID**  
Plaintiff



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**BUSH & BUSH**  
Attorneys for the Plaintiff

**This Writ** is filed by Sonia Bush & Associates, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service and correspondence is Grand Pavilion Commercial Center, 802 West Bay Road, P.O. Box 11139, Grand Cayman, KY1-1008 Cayman Islands.

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICES  
OF WRIT OF SUMMONS

1. 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.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statements of Claim" appear on the top of page 2) the Defence must be served within 28 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgement is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 28 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgement against him without further notice.

3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

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**See over for notes for guidance**  
**Please complete overleaf**

## 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 28 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.
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 Writ of 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, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" 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.

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CAUSE NO. OF 2017  
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BETWEEN: RORY REID Plaintiff

AND: LORNA REID First Defendant

AND: JACQUELINE RICHARDSON Second Defendant

**ACKNOWLEDGMENT OF SERVICE  
OF WRIT OF SUMMONS**

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY..

Important. Read the accompanying Delay may result in judgment being entered  
directions and notes for guidance carefully against a Defendant whereby he may have  
before completing this form. If any to pay the costs of applying to set it aside.  
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 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)  
Yes No

Service of this Writ is acknowledged accordingly

(Signed) \_\_\_\_\_  
Defendant/Attorney for the Defendant

**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 communication 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.

Sonia Bush & Associates Law Firm  
Attorneys-at-Law  
Grand Pavilion Commercial Center,  
802 West Bay Road,  
P.O. Box 11139  
Grand Cayman, KY1-1008  
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.

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