

IN THE GRAND COURT OF THE CAYMAN ISLANDS

IN THE MATTER OF AN APPLICATION UNDER SECTION 14 OF THE GRAND COURT LAW (2015 REVISION)  
AND IN THE MATTER OF THE MENTAL HEALTH LAW (2013 REVISION)  
AND IN THE MATTER OF O.80, R.17 AND R.28 OF THE GRAND COURT RULES 1995 (AS AMENDED)

IN THE MATTER OF JOHN WINSTON ARNOLD (D.O.B. 28/12/1957)

CAUSE NO. <sup>216</sup> of 2017

BETWEEN

ERIKA RUEEGG ARNOLD

APPLICANT

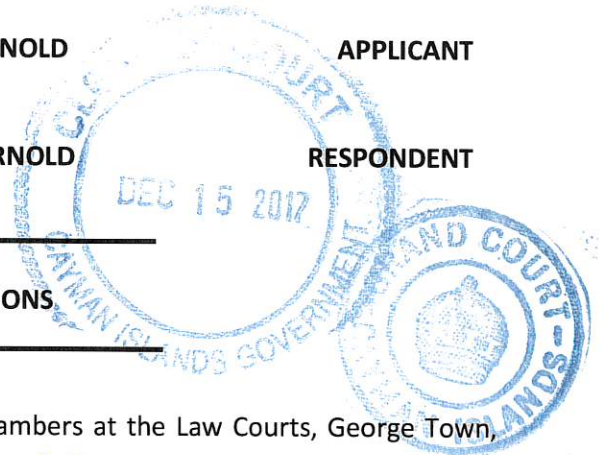
AND

JOHN WINSTON ARNOLD

RESPONDENT



EX-PARTE SUMMONS



LET ALL PARTIES CONCERNED attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the <sup>29<sup>th</sup></sup> day of *January* 2018 at *9:30* a.m. upon an application by the Applicant for the following orders and directions pursuant to the Mental Health Law (2013 Revision), Section 14 of the Grand Court Law (2015 Revision) and Order 80, Rules 17 and 28 of the Grand Court Rules 1995 (As Amended):-

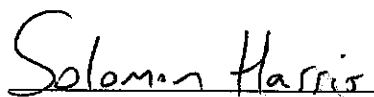
1. That the Applicant, the wife of the Respondent, be appointed as Legal Guardian and Receiver ("Legal Guardian and Receiver") over the person and estate of the Respondent until further order of the Court on the basis that the Respondent is of unsound mind or suffering from mental illness/mental impairment and on the basis that the Respondent is incapable of managing and administering his property and affairs.
2. That the Applicant be granted the power to:
  - 2.1. Care for and determine the residence of the Respondent;
  - 2.2. Manage the affairs of the Respondent; and
  - 2.3. Attend and provide the required consents in respect of the Respondent's medical treatment and care.

3. That the Legal Guardian and Receiver be authorised to sign any documentation, whether medical or legal, necessary for the Respondent's treatment, or any other need which may arise.
4. That the Legal Guardian and Receiver be authorised to sign and/or execute any documentation or instructions in relation to the Respondent's financial affairs.
5. That the Legal Guardian and Receiver be authorised to hire, employ, retain nursing and/or home care assistance and services which may be required to assist the Legal Guardian and Receiver with the Respondent's care as and when required.
6. That the Legal Guardian and Receiver be authorised to pay any salaries, expenses, hospital and medical charges relating to services or treatment provided to the Respondent.
7. That the Legal Guardian and Receiver be authorised to carry out and execute any and all other necessary and/or required actions, instruction and/or decisions which the Legal Guardian considers necessary for the Respondent's well-being and care.
8. That leave be granted to the Legal Guardian and Receiver to dispense with the need for the issuance of an originating summons pursuant to GCR O.80, r.17(3).
9. That the Legal Guardian be appointed Receiver pursuant to GCR O.80, r.17 in relation to the administration of the estate of the Respondent.
10. That the Legal Guardian and Receiver is authorised to manage, sell, acquire, charge or deal with the properties of the Respondent.
11. That the Legal Guardian and Receiver is authorised to deposit into and withdraw from any account at any bank or lending institution in the Cayman Islands and elsewhere such of the Respondent's monies as may be necessary for the proper maintenance, upkeep and medical expenses and care of the Respondent.

12. That the Legal Guardian and Receiver may sell or dispose of any interest held or due to the Respondent in any of the Assets, as defined in paragraph 10 of the Affidavit of Erika Rueegg Arnold sworn on 11<sup>th</sup> December 2017, to pay all sums that may be required for the proper maintenance, upkeep and medical expenses and care of the Respondent.
13. That the Legal Guardian shall keep accounts of the administration and management of the properties and/or assets of the Respondent and whenever required by this Honourable Court to do so, shall file in this Honourable Court copies of such accounts.
14. That the reasonable cost of this application and the reasonable cost of the Legal Guardian and Receiver incidental to and consequent upon the Order shall be paid from the estate and properties of the Respondent.
15. That the Court dispense with service altogether on the basis that service on the Respondent would be injurious to the Respondent's health.
16. That there be liberty to apply.

DATED this 15<sup>th</sup> day of DECEMBER 2017

FILED this      day of      2017



**Solomon Harris**  
**Attorneys-at-Law for the Applicant**

TIME ESTIMATE:      30 minutes

To:      The Clerk of the Court

SUMMONS filed by Solomon Harris, Attorneys-at-law for and on behalf of the Applicant whose address for service is: 3<sup>rd</sup> Floor, FirstCaribbean House, P.O. Box 1990, Grand Cayman, KY1-1104, Cayman Islands. Ex-parte Originating Summons.