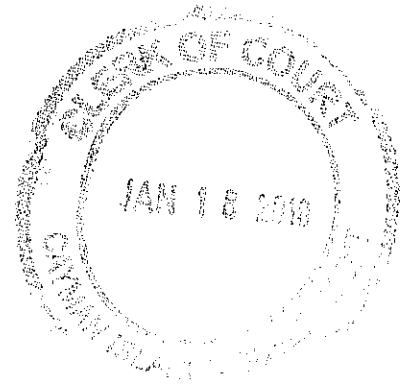


No. 2



**Originating Summons – general form (0.7, r.2)**

IN THE GRAND COURT OF THE CAYMAN ISLANDS

In the matter of the Strata Titles Registration Law

CAUSE NO: <sup>13</sup> OF 2018

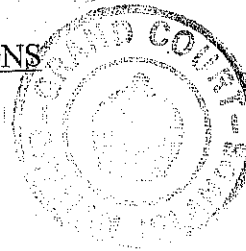
BETWEEN: PROPRIETORS STRATA PLAN NO 126

PLAINTIFF

AND: (1) DANIEL LOWE  
(2) LORRAINE LOWE

DEFENDANTS

ORIGINATING SUMMONS



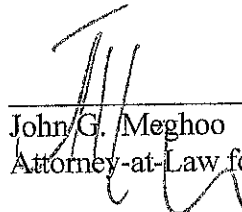
TO: DANIEL LOWE  
LORRAINE LOWE  
APT 9, PROSPECT LEGACY  
P.O. Box 12381  
Grand Cayman KY1-1501

LET THE DEFENDANT, within 14 days after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

By this Summons, which is issued on the application of PROPRIETORS STRATA PLAN NO 126, c/o John G. Meghoo, Attorney at Law, P.O. Box 11274, Grand Cayman KY1-1008, CAYMAN ISLANDS, the Plaintiffs claim

- 1) An order for demolition of a fence and the removal of other plants and articles unlawfully constructed, placed or planted on the Common Property of the Strata
- 2) An Order prohibiting construction, placing or landscaping the Common Property without express written consent of the Plaintiff's executive Committee
- 3) Costs on an indemnity basis against the Defendants
- 4) 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 16 day of *January* 2018

  
\_\_\_\_\_  
John G. Meghoo  
Attorney-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.

This Originating Summons was issued by John Meghoo whose address for service is 122 Mary St, Zephyr House 2<sup>nd</sup> Floor Suite H, Grand Cayman, Cayman Islands.

**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

CAUSE NO: OF 2018

BETWEEN: PROPRIETORS STRATA PLAN NO 126 PLAINTIFF

AND: (1) DANIEL LOWE  
(2) LORRAINE LOWE 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.

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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

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Service of the Originating Summons 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 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.

**John Meghoo**

*2<sup>nd</sup> Floor, Zephyr House*

*122 Mary Street*

*George Town*

*PO Box 11274*

*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.