

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: ⁵⁷ OF 2019

In the Matter of The Registered Land Law (2018 Revision)

BETWEEN:

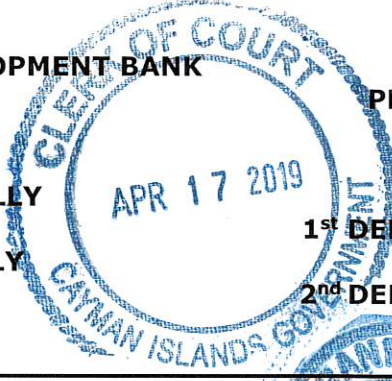
CAYMAN ISLANDS DEVELOPMENT BANK

PLAINTIFF

AND:



MARVIN CONOLLY

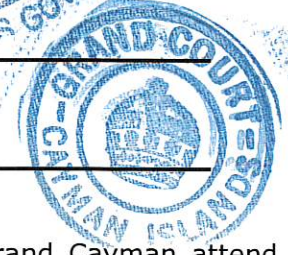


1st DEFENDANT

LEILA CONOLLY

2nd DEFENDANT

ORIGINATING SUMMONS



LET THE DEFENDANTS of #94 Smith Road Villas, George Town, Grand Cayman attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the day of _____ 2019, at _____ o'clock on the hearing of an application by the Plaintiff c/o 42 North Church, George Town, Grand Cayman, PO Box 2255, KY1-1107 that:

1. The Honourable Court do sanction and permit a variation of the provisions of section 75(2) of the Registered Land Law (2018 Revision) ("the Law") under the provisions of section 77 of the Law to allow the Plaintiff to recover possession of the property known as Registration Section George Town South Block 14D Parcel 98H95 ("the property") in seven days from the date of this Order.
2. The Defendants and any other person occupying the Property do, within seven days of this Order, vacate the Property and take all appropriate steps to give the Plaintiff vacant possession of the property.
3. The Plaintiff do have leave to issue a Writ of Possession in relation to the Property at the expiry of seven days referred to in paragraph 2 above.
4. Such further and other relief as the Honourable Court may deem appropriate.

AND 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.

¹⁷
Dated the day of April 2019.



KSG Attorneys-at-Law

NOTES:-

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 the above date unless renewed by order of the Court.

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.

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LEILA CONOLLY

2nd 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.

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

(Signed)

[Attorney] for [Defendant in person]

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.

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
4th Floor Harbour Building
George Town
PO Box 2255
KY1-1107

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

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.