

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FAMILY DIVISION REGISTRY



CAUSE NO. FAM 133 OF 2019

BETWEEN:

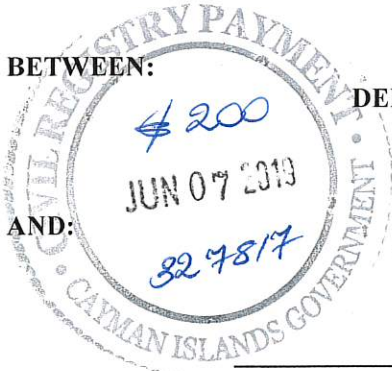
DENISE KAREN EBANKS-SMYTH

PETITIONER

AND:

WADE ANTHONY EBANKS

RESPONDENT



PETITION FOR THE DISSOLUTION OF MARRIAGE

The Petition for the Dissolution of Marriage of **DENISE KAREN EBANKS-SMYTH** shows that:

1. On the 24th day of August 2002, the above Petitioner was lawfully married to the above Respondent at Caribbean Club, George Town, Grand Cayman and at the time of the said marriage the marital status of the parties was that the Petitioner was a single woman and the Respondent was a single man.
2. Following the celebration of the said marriage, the parties lived and cohabited at various addresses, but most significantly and latterly at Evergreen Villas, George Town, Grand Cayman, Cayman Islands.
3. The Court has jurisdiction in the above cause by reason of the fact that the Petitioner is domiciled in the jurisdiction and possesses Caymanian Status.
4. There are no children of the marriage.
5. There are no proceedings continuing inside or outside of the Courts of the Cayman Islands in respect of the said marriage and there are no previous proceedings.
6. There is no impediment to the Court granting a decree of dissolution of the marriage to the knowledge of the Petitioner and there is no prospect whatsoever of reconciliation.
7. Since the celebration of the said marriage the Respondent has behaved in such a way that the Petitioner cannot reasonably be expected to live with the Respondent and, as a result of such unreasonable behaviour, the marriage has broken down irretrievably.

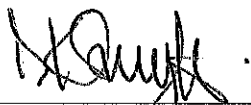
PARTICULARS

- a) In or around August 2018, the Respondent announced to the Petitioner that he no longer wished to continue their relationship as husband and wife. The Petitioner was shocked and deeply hurt by this and begged the Respondent to attempt counselling to save their marriage. However, the Respondent flatly refused counselling, or to even entertain any discussion at all regarding his decision to walk away from the marriage.
 - b) The domestic situation became very strained and as a result, the Respondent moved out of the former matrimonial home in September 2018 and the parties have ceased living together since that time. The parties have experienced a breakdown in communication and their respect for each other and the relationship has ceased. The Petitioner unfortunately now believes that the Respondent was not willing to make any effort in relation to saving the marriage and this has caused it to break down irretrievably.
 - c) Neither the Petitioner nor the Respondent has any intention of ever living with each other again. Each party regards the marriage as having irretrievably broken down, and each party has moved on with their individual lives.
 - d) As a result of the above matters, the Petitioner is of the view that the marriage has broken down irretrievably and there is no prospect of reconciliation.
8. The Parties have agreed the terms of a Consent Order, which they will ask the Court to approve in due course.

THE PETITIONER THEREFORE PRAYS THAT: -

- (i) The said marriage be dissolved.
- (ii) The Petitioner and the Respondent be granted the ancillary relief and property adjustment as they have agreed between them.

DATED this 6th day of June, 2019.



DENISE KAREN EBANKS-SMYTH

The following persons are to be served with this Petition: -

TO: The Clerk of the Court

AND TO: The Respondent

The Petitioner's address for service is:

Hampson and Company
4th Floor, Apollo House East,
87 Mary Street,
P.O. Box 698, Grand Cayman KY1-1107
Telephone: (345) 623-7788

NOTE: Notice of your intention to defend may be given –

- (a) By an endorsement on the acknowledgement of service;**
- (b) By notice of such intention lodged in the Registry within fourteen days of the service of this petition; or**
- (c) At any time by leave of the Court prior to the date fixed for trial.**

This **PETITION** was issued by Hampson and Company, Attorneys-at-Law for the Petitioner, whose address for service is P.O. Box 698, 4th Floor, Apollo House East, 87 Mary Street, George Town, Grand Cayman KY1-1107, Cayman Islands.

**CAYMAN ISLANDS
CERTIFIED COPY of MARRIAGE REGISTER**

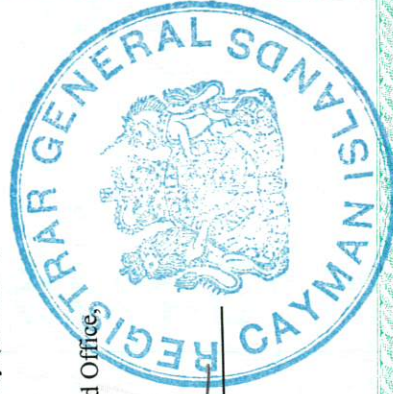
No.	When Married	Name and Surname	Condition	Calling	Age	District and Residence at the time of Marriage	Father's Name and Surname
1599	24 August 2002	Wade Anthony Ebanks	Bachelor	Graphic Designer	29	96 Fern Court, Apartment #6, George Town, Grand Cayman	Winston Ebanks
		Denise Karen Smyth	Spinster	Manager	45	96 Fern Court, Apartment #6, George Town, Grand Cayman	John Smyth

Married at Caribbean Club in the District of George Town by (or before) me,
Noel A. Johnson, a Marriage Officer of the Cayman Islands.

This Marriage was celebrated between us
W. Ebanks _____ in the presence of us
D.K. Smyth _____
Susan Noon _____
Stephen Piper _____

Certified to be a true Copy of the Entry No. 1599 in the Register Book of Marriages solemnized by (or before)
Noel A. Johnson, a Marriage Officer of the Cayman Islands.

Given at the GENERAL REGISTER OFFICE, GEORGE TOWN, GRAND CAYMAN, under the Seal of the said Office,
this day 27 August 2003



[Signature]
for **REGISTRAR GENERAL**
Ellen Vernon

ACKNOWLEDGEMENT OF SERVICE
DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF DIVORCE PETITION

IF YOU INTEND TO INSTRUCT AN ATTORNEY TO ACT FOR YOU, GIVE HIM THIS FORM IMMEDIATELY.

1. The accompanying form of Acknowledgement of Service should be completed by an attorney acting on behalf of the Respondent or by the Respondent if acting in person.
2. After completion it must be signed by the Respondent and his attorney (if any) and must be delivered or sent by post to the Law Courts, P.O. Box 495, George Town, Grand Cayman KY1-1106.
3. The Acknowledgement of Service must be filed at Court and served on the attorney for the Petitioner (or on the Petitioner if acting in person) within fourteen days after service of the Petition.
4. A Respondent who states in his Acknowledgement of Service that he intends to contest the proceedings must also serve an Answer on the attorney for the Petitioner (or on the Petitioner if acting in person) within fourteen days after service of the Petition.
5. The Petition will be treated as an "undefended petition" in respect of which a decree of divorce may be pronounced without the need for any hearing in open court unless an acknowledgement of service form in which you have stated an intention to defend has been filed at the Court office within fourteen days of service of the Petition.
6. In the case of Petitions served outside the Cayman Islands, the periods within which the Respondent must file an Acknowledgement of Service and any Answer are extended by fourteen days.

Please complete overleaf

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
FAMILY DIVISION REGISTRY**

CAUSE NO. FAM OF 2019

BETWEEN:

DENISE KAREN EBANKS-SMYTH

PETITIONER

AND:

WADE ANTHONY EBANKS

RESPONDENT

ACKNOWLEDGEMENT OF SERVICE

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

- 1) Have you received the Petition for divorce (and copy supporting Affidavit) delivered with this form? Yes No

- 2) On what date did you receive it?

- 3) Are you the person named as the Respondent in the Petition?
 Yes No

- 4) Do you intend to defend the case?
 Yes No

- 5) *(In the case of a Petition alleging two years separation, coupled with the Respondent's consent to a decree being granted)* Do you consent to a decree being granted?
 Yes No Not applicable

- 6) *(In the event that the Petition is being proved on the basis of two years separation coupled with Respondent's consent, or five years separation)* Do you intend to apply to the Court for it to consider your financial position as it will be after the divorce?
 Yes No Not applicable

- 7) *(In any case in which there are children of the family)* Even if you do not intend to defend the suit, do you object to the Petitioner's claim for custody and seek to make your own application for custody of the children?
 Yes No Not applicable

Even if you do not object to the Petitioner's claim for custody, do you intend to make an application for access to the children?

- Yes No Not applicable

Service of the Petition is acknowledged accordingly.

Dated: _____

Respondent

Respondent's Attorney

Notes on address for service

Attorney: *where the Respondent is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Respondent may not act by a foreign attorney.*

Respondent in person: *where the Respondent 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.*

Indorsement by Petitioner's attorney (or by the Petitioner if suing in person) of his name and address in the box below.

Hampson and Company
Attorneys-at-Law
4th Floor, Apollo House East
87 Mary Street
P.O. Box 698
Grand Cayman KY1-1107
Cayman Islands

Indorsement by Respondent's Attorney (or by the Respondent if defending in person) of his name and address in the box below.

[Empty box for indorsement by Respondent's Attorney]