

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE NO: 108 OF 2019

IN THE MATTER OF ORDER 85, RULE 2 OF THE GRAND COURT RULES

AND IN THE MATTER OF THE ESTATE OF ROBERT CONWELL SOLOMON, DECEASED

BETWEEN:



**VERNON VIGILENT, IN HIS CAPACITY AS
JOINT ADMINISTRATOR OF THE ESTATE OF
ROBERT CONWELL SOLOMON, DECEASED**

AND:



**ALFRED HENRY SOLOMON, IN HIS CAPACITY AS
JOINT ADMINISTRATOR OF THE ESTATE OF
ROBERT CONWELL SOLOMON, DECEASED**



ORIGINATING SUMMONS

LET THE DEFENDANT of c/o Murray & Westerborg, PO Box 10067, 10 Shipping Lane, Grand Cayman KY1-1001, Cayman Islands attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the ____ day of _____, 2019, at _____ on the hearing of an application by the Plaintiff of c/o KSG Attorneys at Law, 4th Floor Harbour Centre, 42 North Church Street, PO Box 2255, Grand Cayman KY1-1107, Cayman Islands for the following orders from the Court under Order 85, rule 2 of the Grand Court Rules:

1. Approving the sale and purchase agreement (the **SPA**) dated 17 May 2019 made between the Plaintiff, as vendor, and Merwin Ltd., as purchaser, in respect of certain lands vested in the Joint Administrators of the Estate (collectively, the **Land**);
2. Directing that the Land be sold under the terms of the SPA;
3. Directing that the Plaintiff have sole conduct of the sale under the terms of the SPA on behalf of the Estate and that the Plaintiff may execute and deliver all documents

necessary to effectively transfer the Land without the consent or involvement of the Defendant;

4. Such further orders or directions as counsel may advise or the Court considers just; and
5. Costs against the Defendant in favour of the Estate.

AND LET THE DEFENDANT within 14 days after service of this summons on him counting the day of service, return the accompanying Acknowledgement of Service to the Courts office.

DATED the 5 day of July, 2019.



KSG ATTORNEYS AT LAW
Attorneys for the Plaintiff

NOTES:

- (1) 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 unless renewed by order of the Court.
- (2) 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 Acknowledgement of Service are given with the accompanying form.

This Originating Summons was issued by KSG Attorneys at Law, attorneys for the Plaintiff, whose address for service is 4th Floor Harbour Centre, 42 North Church Street, PO Box 2255, Grand Cayman KY1-1107, Cayman Islands.

**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
CIVIL DIVISION**

CAUSE NO: OF 2019

**IN THE MATTER OF ORDER 85, RULE 2 OF THE GRAND COURT RULES
AND IN THE MATTER OF THE ESTATE OF ROBERT CONWELL SOLOMON, DECEASED
BETWEEN:**

**VERNON VIGILENT, IN HIS CAPACITY AS
JOINT ADMINISTRATOR OF THE ESTATE OF
ROBERT CONWELL SOLOMON, DECEASED**

PLAINTIFF

AND:

**ALFRED HENRY SOLOMON, IN HIS CAPACITY AS
JOINT ADMINISTRATOR OF THE ESTATE OF
ROBERT CONWELL SOLOMON, DECEASED**

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 Writ is being acknowledged.

2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

yes

no

Endorsement 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
4th Floor Harbour Centre
42 North Church Street
PO Box 2255
Grand Cayman KY1-1107
Cayman Islands

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

