

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: ¹³⁵ OF 2019
LACV 0068/2019

In the Matter of Section 14 of the Grand Court Law

And in the Matter of Sections 18 and 19 of the Mental Health Law

**And in the Matter of an Application by Derron Ebanks
Pursuant to Order 80 of the Grand Court Rules**

BETWEEN:

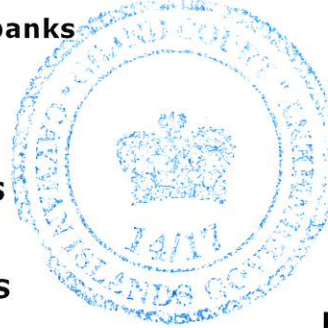
DERRON EBANKS

Applicant

AND

ELMER V. EBANKS

Respondent



ORIGINATING SUMMONS

LET THE RESPONDENT of 37 Lancelot Drive, Bodden Town, Grand Cayman attend before 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 Applicant, that:

1. The Applicant be appointed Guardian of Elmer V. Ebanks ("the Patient") until such time as the Patient becomes of sound mind with the following powers conferred upon her:-
 - (a) To make decisions about the Patient's care, treatment and personal welfare;
 - (b) To carry out and execute any and all necessary or required actions, instructions or decisions necessary for the Patient's well-being and care.

2. The Applicant be appointed Receiver of the property and affairs of the Patient until such time as the Patient is capable of managing and administering his property and affairs with the following powers conferred upon her:
 - (a) To control and manage the Patient's property, affairs and assets;
 - (b) To sell, acquire, charge or otherwise dispose of or deal with any of the assets of the Patient
 - (c) To deposit into and withdraw from any account at any bank or lending institution in the Cayman Islands and elsewhere such of the Patient's monies

This Originating Summons was issued by KSG Attorneys at Law, Attorneys for the Applicant whose address for service is 4th Floor Harbour Centre, 42 North Church Street, P.O. Box 2255, George Town, Grand Cayman KY1-1107.

as may be necessary for the proper maintenance, upkeep and medical expenses and care of the Patient.

3. That the Applicant shall keep proper records, books and accounts of the administration and management of the property of the Patient and shall file in Court a full account within 6 months of appointment.
4. Such further or other relief that this Honourable Court deems necessary.

AND LET THE RESPONDENT within fourteen (14) days after service of this Summons on him counting the day of service, return the accompanying Acknowledgment of Service to the Courts office.

Dated the 5th day of August, 2019



KSG Attorneys at Law
Attorneys for the Applicant

TIME ESTIMATE: The estimated length of the hearing of this summons is 30 minutes.

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 date 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 Acknowledgment of Service are given with the accompanying form.

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.

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
4th Floor Harbour Centre
42 North Church Street
P.O. 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.

