

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 89 OF 2020

IN THE MATTER OF SECTION 21(5) OF THE STRATA TITLES REGISTRATION
(2013 REVISION)

BETWEEN:

PROPRIETORS, STRATA PLAN NO. 275

Plaintiff

-and-

MELISSA LIM

Defendant



ORIGINATING SUMMONS



LET THE DEFENDANT, of Unit J47, Ocean Pointe Villas, Block 3D, Parcel 157H25, registration section West Bay North West, Grand Cayman (“*the Property*”) attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the day of
at am/pm upon an application by the Plaintiff of P.O. Box 30069, KY1-1201, Grand Cayman, Cayman Islands, as Proprietors of Strata Plan No. 275 in which the Property is a Strata Unit for the following declarations and orders:-

1. A declaration that the Defendant, by permitting the residence of a dog, known as “Jax” at the Property, is in breach of By-Law 6.1(w) of the Strata Corporation By-Laws for Strata Plan No. 275 (as amended) (the “**By-Laws**”).

2. A declaration that the Defendant, by permitting the residence the dog at the Property, is in breach of By-Law 6.1(q) and the Rules and Regulations for Owners and Tenants (February 2020 Revision).
3. A declaration that the fine of CI\$500 applied to the Defendant's strata statement dated 6 May 2020 was lawfully applied in accordance with By-Law 6.1(q) and the Rules and Regulations for Owners and Tenants (February 2020 Revision).
4. An order that the Defendant must remove the dog with immediate effect.
5. An order that the Defendant pay the Plaintiff's costs.
6. Such further or other relief and directions as the court may think just.

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, P.O. Box 495G, George Town, Grand Cayman.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form

Dated the 28th day of May 2020

Nelsons

NELSONS

THIS ORIGINATING SUMMONS was issued by Nelsons Attorneys at Law Ltd. for the Plaintiff herein whose address is P.O. Box 30069, 31 The Strand, 46 Canal Point Drive, George Town, Grand Cayman, KY1-1201.

TIME ESTIMATE: The estimated length of the hearing of this summons is 1 ½ hours

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.

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-and-

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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)

<input type="checkbox"/> yes	<input type="checkbox"/> no
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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.

Nelsons
31 The Strand
PO Box 30069
Grand Cayman KY1-1201
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.

[Empty box for defendant's attorney indorsement]