



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. of 2021

BETWEEN:

**MICHAEL GENE MEACHER (in his capacity
as the executor named in the last will and
testament of Keith Bertrand Henderman
(deceased))**

Plaintiff

AND:

**(1) ALEXANDER ORLANDO DELGADO
(2) CHRISTINA JACQUELINE DELGADO
(3) GRANT OWEN BLANCO
(4) MEGAN ELIZABETH BLANCO**

Defendants

WRIT OF SUMMONS

TO: Alexander Orlando Delgado, Christina Jacqueline Delgado, Grant Owen Blanco & Megan Elizabeth Blanco of c/o Ogier, 89 Nexus Way, Camana Bay, Grand Cayman, Cayman Islands

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

Within 28 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 2nd day of February 2021

NOTE - This Writ 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 date of issue unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form

STATEMENT OF CLAIM

1. The Plaintiff is the only surviving executor named in the will of the Keith Bertrand Henderman (the “**Deceased**”), which was executed in the Cayman Islands on 10 July 2019 (the “**Will**”) and is one of the beneficiaries named in the Will.
2. The Defendants are named beneficiaries under an earlier will made by the Deceased, being the will dated 19 November 2009 (the “**Prior Will**”).
3. The Second Defendant is one of the beneficiaries named in the Will. The First, Third and Fourth Defendants are not named in the Will.
4. The Deceased died on 22 July 2019 in Furnace Creek, California. At the time of his death, he was domiciled in the Cayman Islands.

Application for Probate

5. On 13 September 2019, Jacqueline Delgado, who is the Deceased’s wife’s sister and is not named in the Will or the Prior Will, filed a caveat in respect to the Estate (the “**First Caveat**”). That caveat lapsed in March 2020 and has not been renewed.
6. On 10 October 2019, the Defendants filed a Caveat in respect of the Estate, which was renewed on 3 April 2020 (the “**Second Caveat**”).
7. On 14 February 2020, the Plaintiff filed an application for a grant of probate in respect to the Will (the “**Application for Probate**”).
8. In April 2020 the Plaintiff’s attorneys contacted the Probate Registry to enquire as to the progress of the Application for Probate. In response to that enquiry, the Court advised that special leave to file the Application for Probate was required and that the First Caveat and the Second Caveat had been filed.
9. The following documents were subsequently filed in the Probate Registry:
 - a. On 15 May 2020, the Plaintiff filed an application for special leave to file the Application for Probate (“**Application for Special Leave**”);

- b. On 15 May 2020, the Plaintiff filed an Objection to Caveat in respect to the Second Caveat;
- c. On 22 May 2020, the Clerk of the Court issued a Warning to Caveators, in respect to the Second Caveat;
- d. On 29 May 2020, the Defendants filed a Notice of Appearance; and
- e. On 2 October 2020, the Second Defendant filed a caveat, as the sole caveator (the “**Third Caveat**”).

The Dispute

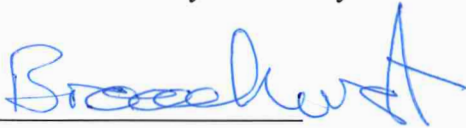
- 10. The Defendants allege they are the sole beneficiaries of the Estate, along with one other family member (who is under a disability), and that the Plaintiff has no interest in, or standing with respect to the Estate.
- 11. Despite requests made through counsel on 22 May, 25 May, 29 May, 3 June and 5 June 2020, the Defendants have failed or refused to inform the Plaintiff of the basis upon which they assert to be beneficiaries of the Estate or the basis upon which they assert that the Plaintiff has no interest in, or standing with respect to, the Estate.
- 12. The Defendants are named as beneficiaries under the Prior Will, together with Byron Christopher Blanco and Taylor Patrick Blanco.
- 13. The Prior Will was revoked by the Will.
- 14. The Deceased also made a will in the United States of America, dated 17 July 2019 (the “**USA Will**”). The USA will pertains only to assets belonging to the Deceased that are in the United States of America.
- 15. The Plaintiff invites the Court to pronounce for the Will as the last true will and testament of the Deceased in respect to all his worldwide assets, except those assets located in the United States of America

AND THE PLAINTIFF CLAIMS:

- A. An order pronouncing in solemn form for the validity of the Will dated 10 July 2019;
- B. An order granting the Plaintiff’s Application for Special Leave;

- C. An order granting the Plaintiff's Application for Probate;
- D. Such further and other relief as the Court thinks fit;
- E. An order making provision for costs.

Dated this 2nd day of February 2021

A handwritten signature in blue ink, appearing to read "Broadhurst", written over a horizontal line.

BROADHURST LLC
Attorneys for the Plaintiff

This Writ of Summons and Statement of Claim are issued by Broadhurst LLC, Attorneys-at-law for the Plaintiff, whose address for service is 4th Floor Monaco Towers, 54 Edward Street, George Town, Grand Cayman KY1-1104, Cayman Islands (Ref. 522-1)

INDORSEMENTS

1. The Plaintiff is an individual residing at 1450 North Tuweap Drive, Ivins, Utah 84738, United States of America and is the only surviving executor and one of the beneficiaries named in the Will of the late Keith Bertrand Henderman (deceased) dated 10 July 2019.
2. The Defendants are members of the Deceased's wife's family. The Plaintiff is not certain what the specific family relationships are, but his understanding is as follows:
 - a. The First Defendant, Alexander Orlando Delgado, is the Deceased's nephew (his wife's sister's son);
 - b. The Second Defendant, Christina Jacqueline Delgado, is the Deceased's niece (his wife's sister's daughter);
 - c. The Third Defendant, Grant Owen Blanco, is the Deceased's nephew (his wife's brother's son);
 - d. The Fourth Defendant, Megan Elizabeth Blanco, is the Deceased's niece (his wife's brother's daughter).
3. The Defendants' together claim an interest in the Estate as beneficiaries named in the Prior Will made by the Deceased.
4. The Second Defendant, Christina Jacqueline Delgado, is also a beneficiary named in the Will. She has filed a caveat, as the sole caveator, in addition to the caveat filed together with the other Defendants.
5. There are two Probate Registry files for this Estate (which appears to be an error by the Probate Registry), being P 131 of 2019 and P 26 of 2020.

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Plaintiff

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**(1) ALEXANDER ORLANDO DELGADO
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(3) GRANT OWEN BLANCO
(4) MEGAN ELIZABETH BLANCO**

Defendants

**ACKNOWLEDGEMENT OF SERVICE
OF WRIT OF 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.*

*Delay may result in judgment being entered against a Defendant whereby he may have to pay the
costs of applying to set it aside.*

-
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 the proceedings (*tick appropriate box*)
Yes [] No []
-

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (*tick box*)

Yes [] No []

Service of the Writ is acknowledged accordingly.

(Signed) _____

[Attorney] for

[Defendant in Person]

Address for service:

Please see overleaf...

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 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 or principal office.

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

BROADHURST LLC.
4th Floor, Monoco Towers
54 Edwards Street
George Town
Cayman Islands

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

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF
WRIT OF SUMMONS**

1. 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.
2. After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.
3. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a Defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).
4. If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.
5. If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.
6. If the Defendant fails to serve his Defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.
7. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

See over for notes for guidance.

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. 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.
3. 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 Writ of Summons)”.
4. 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.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, he must complete the form with the addition in paragraph 1 of the description “trading as (.....)” after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an attorney or by someone authorized 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.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, an Attorney acting for a guardian ad litem must complete the form.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.