

IN THE GRAND COURT OF THE CAYMAN ISLANDS
CAUSE NO. 29 OF 2021



IN THE MATTER OF SECTION 14 OF THE GRAND COURT LAW (2015 REVISION

AND IN THE MATTER OF SS. 18 & 19 OF THE MENTAL HEALTH LAW, 2013 (Law 10 of 2013)

AND IN THE MATTER OF GCR O.80

AND IN THE MATTER OF JANE ELIZABETH EBANKS, AN ADULT WITH DIMINISHED MENTAL CAPABILITIES

ORIGINATING SUMMONS

BETWEEN: JUDY ELIZABETH POWERY APPLICANT
AND: JANE ELIZABETH EBANKS RESPONDENT

TO: Jane Elizabeth Ebanks, West Bay, Grand Cayman

LET THE RESPONDENT attend before a Judge of the Grand Court in Chambers at the Law Courts, George Town, Grand Cayman on the _____ day of _____, 2021 at _____ o'clock in the fore/afternoon or so soon thereafter on the hearing of an Application by the Applicant who seeks the determination of the Court on the following question, namely an Order:

1. That the Applicant, Judy Elizabeth Powery of P.O.Box 370, KY1-1302, West Bay, Grand Cayman, Cayman Islands be appointed Legal Guardian ("the Legal Guardian ") of her mother, Mrs. Jane Elizabeth Ebanks ("the Patient").
2. That the Legal Guardian be appointed Receiver (' the Receiver") of the estate of the Patient pursuant to GCR.80,r 17 .
3. That the Legal Guardian and Receiver be authorized to provide the required consent for and on behalf of the Patient for medical treatment (as defined in the Mental Health Law), or any procedures which she may require and all follow-up medical procedures which may become necessary in the future.

4. That the Legal Guardian and Receiver be authorized to sign any document whether medical or legal for the Patient's treatment or any other need which may arise.
5. That the Legal Guardian and Receiver be authorized to sign and/ or execute any document or instructions in relation to the Patient's financial affairs at Butterfield Bank (Cayman) Cayman National Bank or elsewhere.
6. That the Legal Guardian and Receiver be authorized to hire, employ, retain nursing and/or home care assistance and services which is required to assist the Legal Guardian and Receiver with the Patient's care as and when needed.
7. That the Legal Guardian and Receiver be authorized to pay out of the funds of the Patient at the bank any salaries, expenses hospital and medical charges relating to services or treatment provided to the Patient.
8. That the Legal Guardian and Receiver be authorized to carry out and execute any and all other necessary and/ or required instructions and/or decisions which the Legal Guardian considers necessary for the Patient's well-being and care.
9. That the Legal Guardian be authorized to manage, sell acquire, charge or deal with any property or asset of the Patient which may be owned by the Patient or in which the Patient has a vested interest.
10. That the Legal Guardian and Receiver be authorized 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 as may be necessary for the proper maintenance, upkeep and medical expenses and care of the Patient.
11. That the legal Guardian and Receiver shall keep proper accounts of the administration and management of the property or asset of the Patient and whenever required by this Honourable Court to do so, shall file in this Honourable Court copies of such accounts.
12. That there be not order as to costs.
13. That any act, deed or thing to be done or document to be signed by the Legal Guardian appointed, shall be in compliance with the Order of this Honourable Court in this Cause when properly signed by the Legal Guardian.
14. That there be liberty to apply.

DATED this 9th day of February, 2021.


Morris Garcia

Attorney-at-law for the Applicant.

Acknowledgement of Service (O.10,r.5)

DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF ORIGINATING SUMMONS

1. The accompanying form of Acknowledgement for Service should be completed by an attorney acting on behalf of the Respondent or by Respondent 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 GT, and Grand Cayman.
3. The Acknowledgement of Service must be filed at court and served on the attorney for the Respondent (or on the Respondent if acting in person) within fourteen days after the service of the originating summons.
4. For the purpose of calculating the 14 days for acknowledging service , a summons served on a Respondent personally is treated as having been served on the day it was delivered to him/her.
5. 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 Plaintiff (or on the Plaintiff if acting in person) within fourteen days after service of the Petition.
6. Where the Respondent 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”).

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE No. OF 2021

BETWEEN: Judy Elizabeth Powery

APPLICANT

AND Jane Elizabeth Ebanks

RESPONDENT

ACKNOWLEDGMENT OF SERVICE

OF ORIGINATING SUMMONS

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

1. State the full name of the Respondent by whom or on whose behalf the service of the Originating Summons is being acknowledged

Yes

No

2. State whether the Respondent intends to contest the proceeding.

Yes

No.

Service of the Originating Summons is acknowledged accordingly

Signed : _____

[Attorney] for _____

Address for service _____

Please see overleaf

Note 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, she must give the post office box number and the physical address of her residence or , if she does not reside in the Cayman Islands, she must give an address in Grand Cayman where communications for her should be sent.

Indorsement by Respondent's attorney (or by the Respondent if acting in person) of her name and address in the box below.

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

Morris M Garcia
P.O.Box 253,Grand Cayman KY1-
1501
Cayman Islands