

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: GC 67 OF 2021

IN THE MATTER OF AN APPLICATION BY STEVEN BARRIE FOR AN ORDER OF POSSESSION



STEVEN BARRIE

Plaintiff

and

VANESSA CROWE

Defendant

ORIGINATING SUMMONS

LET THE DEFENDANT, Vanessa Crowe of Unit 1 Pleasant View Apartments, 338 Mount Pleasant Road, West Bay, Grand Cayman, Cayman Islands attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the _____ day of _____ 2021, at _____ o'clock, upon an application by the Plaintiff, Steven Barrie of 31 The Strand, P.O. Box 30069, George Town Grand Cayman, KY1-1201, for the following declarations and orders, namely:

1. That the Tenancy Agreement dated 24 August 2020 (the "**Agreement**") in favour of the Defendant over the Plaintiff's property comprised in [Registration Section George Town Central, Block 13D, Parcel 2/431] and known as Unit 1 Pleasant View Apartments, 338 Mount Pleasant Road, West Bay, Grand Cayman (the "**Premises**") has been terminated and the Plaintiff is entitled to possession of the Premises forthwith.
2. That the Defendant shall vacate and give up to the Plaintiff, vacant possession of the Premises, within 7 days of the date of the Order made on this Originating Summons.
3. The Plaintiff shall have leave to issue a Writ of Possession in relation to the Premises upon the expiry of the 7 days referred to in paragraph 2 above.
4. That the Defendant do pay the Plaintiff's costs on an indemnity basis;
5. Such further or other relief 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.

Dated the 16th day of April

Nelsons
Nelsons

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.

THIS ORIGINATING SUMMONS was issued by Nelsons, Attorneys-at-Law 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 30 Minutes

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STEVEN BARRIE

Plaintiff

and

VANESSA CROWE

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 Originating Summons is being acknowledged.

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

yes no

Service of the Originating Summons is acknowledged accordingly

(Signed).....

Attorney for the Defendant

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.

Please complete overleaf

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

Nelsons
Attorneys at Law
PO Box 30069
31 The Strand
46 Canal Point Drive
Grand Cayman KY1-1201
Attn: A. Carver

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



See overleaf for notes for guidance

**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.