

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 94 OF 2021

BETWEEN:

KAREN KATHLEEN FORBES
MARILYN LOUISE HINES
DEAN ALBERT HINES

PLAINTIFFS

AND:

LEEERT FORBES
CARLENE ALEXANDER KAY
REGISTRAR OF LANDS

DEFENDANTS



WRIT OF SUMMONS

TO: Leebert Forbes, 2169 Breakers Road, Grand Cayman

Carlene Alexander Kay, c/o her Attorney, Murray & Westerborg, 10 Shipping Lane, George Town
Registrar of Lands, Government Administration Building, Grand Cayman

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

Within 14 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 15th day of June 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.

Concise Statement of the Nature of the Claim

The Defendant Carlene Alexander Kay (“Carlene”) has applied in cause no. P 91 of 2020 for a grant of Letters of Administration of the estate of Jewel Verbena Forbes (“the Deceased”), who died intestate on the 20th day of January, 2020. The plaintiffs say that Carlene is not entitled to a grant of Letters of Administration and that a grant should issue instead to the Plaintiff Karen Kathleen Forbes (“Karen”), a daughter of the Deceased. Alternatively, the plaintiffs say that this Honourable Court should exercise its inherent equitable jurisdiction in favour of a grant of Letters of Administration to Karen to the exclusion of Carlene.

The plaintiffs say that the Plaintiff Marilyn Louise Hines (“Marilyn”) is entitled beneficially to the property described as North Side Block 45A Parcel 32 (the “Property”), a part of the Deceased’s estate, by virtue of the doctrine of proprietary estoppel. The Registrar of Lands is joined as a Defendant solely because the plaintiffs are seeking an order directing her to register title to the Property in Marilyn’s name.

The plaintiffs will file a detailed Statement of Claim in due course.

AND THE PLAINTIFFS claim:

1. an order dismissing the Application in cause P 91 of 2020 by Carlene Alexander Kay for a grant of Letters of Administration of the estate of Jewel Verbena Forbes;
2. an order granting Letters of Administration of the estate of Jewel Verbena Forbes to Karen Kathleen Forbes;
3. an order directing the Registrar of Lands to amend the land register of the Property to show the Plaintiff Marilyn Louise Hines as the registered proprietor; and
4. costs of this action, except as against the Registrar of Lands.



Dentons

THIS WRIT was issued by Dentons, Attorney for the plaintiffs, whose address for service is 3rd floor, One Capital Place, Shedden Road, George Town, Grand Cayman.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: _____ OF 20__

BETWEEN:

**KAREN KATHLEEN FORBES
MARILYN LOUISE HINES
DEAN ALBERT HINES**

PLAINTIFFS

AND:

**LEEBERT FORBES
CARLENE ALEXANDER KAY
REGISTRAR OF LANDS**

DEFENDANTS

**ACKNOWLEDGMENT 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

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 or 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.

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