

IN THE GRAND COURT OF THE CAYMAN ISLANDS

Cause No. 201 of 1998

IN THE MATTER of THE GUARDIANSHIP AND CUSTODY OF CHILDRENS LAW (Revised)

AND IN THE MATTER of DONLEY CHRISPIN MARTIN, JR. (born 8th, November, 1994); a minor and SHEA ARTHUR MARTIN (born 29th, July, 1996); a minor

AND IN THE MATTER of an APPLICATION FOR THE APPOINTMENT OF A GUARDIAN

Between:

JAMES DONLEY MARTIN

- and -

CHRISPIN DONLEY MARTIN

- and -

DELCEY MARIE EBANKS

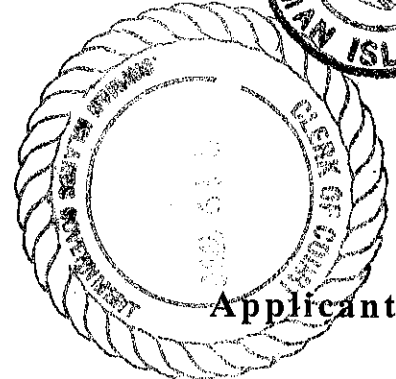
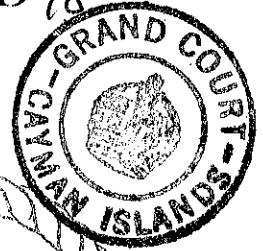
ORIGINATING SUMMONS

To: Chrispin Donley Martin
P.O. Box 39, G.T.
Palm Dale, Crewe Road

And To: Delcy Marie Ebanks
P.O. Box 226, SAV
Marina Drive, Prospect

LET THE Respondents, within [14 days] after the service of this Summons on him, counting the day of service, return the accompanying Acknowledgement of Service to the Courts Office, P.O. Box 495, G.T. Grand Cayman, Cayman Islands.

By this Summons, which is issued on the application of James Donley



Applicant

1st Respondent

2nd Respondent

Martin, the Applicant claims against the Respondents the following relief:-

1. That the Applicant, James Donley Martin, be appointed guardian to the two children.
2. That day to day custody, care and control be with guardian, James Donley Martin.
3. That the two children, Donley Chrispin Martin, Jr. and Shea Arthur Martin, be immediately returned to the Applicants care by the 2nd Respondent, Delcy Marie Ebanks.
4. Costs.

If the Respondents do not acknowledge service, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

Dated the 17th day of March, 1998.

Collins Broadhurst & Furniss
Collins Broadhurst & Furniss
Attorneys-at-Law for the Applicant

Note - 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 date of issue unless renewed by order of the Court.

IMPORTANT: Directions for Acknowledgement of Service are given with the accompanying form.

This Originating Summons was issued by **Collins Broadhurst & Furniss**, Attorneys-at-Law for the Applicant, whose address for service is 40 Myles Crescent, P.O. Box 2503, G.T. Grand Cayman, Cayman Islands, B.W.I.

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF ORIGINATING SUMMONS**

The accompanying form of *Acknowledgement of Service* should be completed by an Attorney acting on behalf of the Respondents or by the Respondents if acting in person. After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495, G.T. Grand Cayman.

Notes for Guidance

1. Each Respondent (if there are more than one) is required to complete an Acknowledgement 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 Respondents personally is treated as having been served on the day it was delivered to him.
3. 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*)".
4. Where the Respondent 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 Respondent 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.
6. Where the Respondent 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.
7. Where the Respondent is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Respondent acting in person may obtain help in completing the form at the Courts Office.

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JAMES DONLEY MARTIN

Applicant

- and -

CHRISPIN DONLEY MARTIN

1st Respondent

- and -

DELCY MARIE EBANKS

2nd Respondent

ACKNOWLEDGEMENT 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 Respondent by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Respondent intends to contest the proceedings
Yes [] No []

Service of the Originating Summons is acknowledged accordingly

(signed) _____

[Attorney] for

[Respondent in Person]

Address for service:

Notes on address for service

Attorney: where Respondents is represented by an Attorney, state the Attorney's place of business in the Cayman Islands. A Respondents may not act by a foreign Attorney.

Respondents in person: where the Respondents 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.

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

Collins Broadhurst & Furniss

Attorneys-at-Law
40 Myles Crescent
P.O. Box 2503, G.T.
Grand Cayman
Cayman Islands, B.W.I.

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