



**IN THE GRAND COURT OF THE CAYMAN ISLANDS  
ADMIRALTY DIVISION**

**FOLIO NO. ADM 0001 OF 2021 (ASCJ)**

**ADMIRALTY ACTION *IN REM* AGAINST THE M.Y. PELORUS**

**BETWEEN:**

**JOHN MACINDEOR  
AND  
THOSE OTHERS LISTED IN SCHEDULE A**

**PLAINTIFFS**

**AND:**

**MVVWM LTD (OWNERS OF THE YACHT M.Y. PELORUS)**

**DEFENDANTS**

---

**WRIT OF SUMMONS**

---

**TO: MVVWM LTD of c/o Vista Corporate Services Centre, Wickhams Cay II, Road Town, Tortola, VG1110, British Virgin Islands**

**AND TO: Other persons interested in the 2003 motor yacht PELORUS which is registered in the Cayman Islands under official number 735655 (with IMO number 8977273).**

**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 14 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 3<sup>rd</sup> Floor, Kirk House, Albert Panton Street, P.O. Box 495, Grand Cayman KY1-1106, Cayman Islands the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to lodge an Acknowledgment within the time stated, the Plaintiffs may proceed with the action and judgment may be given without further notice to you and if the property described in this writ is under the arrest of the Court it may be sold by order of the Court.

Issued from the Admiralty Division of the Grand Court of the Cayman Islands, Civil Registry, **this 13 day of July 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.

**THIS WRIT** was issued by Campbells LLP, Attorneys for the Plaintiff, whose address for service is Floor 4, Willow House, Cricket Square, George Town, PO Box 884, Grand Cayman KY1-1103, Cayman Islands (Ref: MGM/DXM/12909-35553)

**IMPORTANT**

Directions for Acknowledgment of Service are given with the accompanying form. If necessary, a form of Acknowledgment of Service may be obtained from the Admiralty Division of the Grand Court of the address described above, by applying in person or by post. An application by post must be accompanied by an addressed envelope for the return of the form.

**Dated: 9<sup>th</sup> July 2021**

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
ADMIRALTY DIVISION

FOLIO NO.ADM OF 2021 ( )

ADMIRALTY ACTION *IN REM* AGAINST THE YACHT M.Y. PELORUS

BETWEEN:

JOHN MACINDEOR  
AND  
THOSE OTHERS LISTED IN SCHEDULE A

PLAINTIFFS

AND

MVVWM LTD (OWNERS OF THE YACHT M.Y. PELORUS)

DEFENDANTS

---

GENERAL INDORSEMENT

---

The Plaintiffs, in their capacity as seafarers and/or crew members under their respective Seafarer Employment Agreements with the Defendant on the dates set out in the table below:

	Name of Seafarer / Crew member (together, the "Plaintiffs")	Date of Seafarer Employment Agreement
1.	Buenvendidos Ferrer	22 October 2015
2.	Christopher Hill	11 November 2020
3.	Clyde May	8 September 2019
4.	Harry Baker	30 October 2020
5.	Heinrych Pyper	10 September 2020
6.	James Mackie	21 October 2019
7.	John MacIndeor	25 June 2016
8.	Reinhardt Conradie	17 September 2020
9.	Robert Hubberstey	5 October 2020
10.	Ross Weir	17 November 2020
11.	Ruairidh Hamilton	29 September 2020
12.	Vinko Spar	25 November 2020

bring this claim against the Defendant her boiler, engines, tackle, furniture, furnishings, apparel, equipment, machinery, appurtenances, tenders, etc. for enforcement of their claims for maritime liens for unpaid wages, repatriation benefits, accrued vacation time, notice period pay, penalty wages and expenses due to the Plaintiffs under the terms of their respective Seafarer Employment Agreement with the Defendant for the period between 1 February 2021 and 31 March 2021, together with interest thereon pursuant to section 93 of the Merchant Shipping Act (2021 Revision).

DATED 9<sup>th</sup> day of July 2021

FILED 9<sup>th</sup> day of July 2021



---

CAMPBELLS LLP  
Attorneys-at-Law for the Plaintiffs

**THIS WRIT** was issued by Campbells LLP, Attorneys for the Plaintiff, whose address for service is Floor 4, Willow House, Cricket Square, George Town, PO Box 884, Grand Cayman KY1-1103, Cayman Islands (Ref: MGM/DXM/12909-35553)

**SCHEDULE A**

**Plaintiffs**

	<b>NAME</b>
1.	JOHN MACINDEOR
2.	CHRISTOPHER HILL
3.	CLYDE MAY
4.	HARRY BAKER
5.	HEINRYCH PYPER
6.	JAMES MACKIE
7.	BUENVENIDOS FERRER
8.	REINHARDT CONRADIE
9.	ROBERT HUBBERSTEY
10.	ROSS WEIR
11.	RUAIRIDH HAMILTON
12.	VINKO SPAR

**INDORSEMENT AS TO SERVICE**

[to be completed only when the writ has been served by the Admiralty Marshall or his substitute]

**THIS WRIT** was served by me at [place].....

On [name].....

On [date].....

By [manner of service].....

Signed.....

Name:

Of:.....

**IN THE GRAND COURT OF THE CAYMAN ISLANDS  
ADMIRALTY DIVISION**

**FOLIO NO.ADM                      OF 2021 (    )**

**ADMIRALTY ACTION *IN REM* AGAINST THE YACHT M.Y. PELORUS**

**BETWEEN:**

**JOHN MACINDEOR  
AND  
THOSE OTHERS LISTED IN SCHEDULE A**

**PLAINTIFFS**

**AND**

**MVVWM LTD (OWNERS OF THE YACHT M.Y. PELORUS)**

**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.

---

2. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged –

---

3. State whether the Defendant intends to contest the proceedings (*tick appropriate box*)  
 yes                                       no

---

4. 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                                       N/A

---

Service of the Writ of Summons is acknowledged accordingly.

(Signed) .....  
Attorney for the Defendant

Address for service: *(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 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 Fund, "residence" means its registered 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.

Campbells  
P.O. Box 884  
Floor 4 Willow House  
Cricket Square  
George Town  
Grand Cayman KY1-9010  
  
(Ref: MGM/DXM/12909-35553)

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

## DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE

1. The accompanying form of ***Acknowledgment of Service*** should be detached and 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 Admiralty Division, Civil Registry, 3<sup>rd</sup> Floor, Kirk House, P.O. Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands

2. If in an action *in rem* a Statement of Claim is indorsed on the writ, (i.e. the words "Statement of Claim" appear at the top of the back) a Defence must be served within 14 days after the time for acknowledgment of service of the Writ.

If a Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after the Statement of Claim has been served on the Defendant

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may apply to the Court for judgment against him, and if the property described in the Writ is under the arrest of the Court, for an order for sale of that property.

***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 and a Writ served by post or by insertion through the Defendant's letter box is treated as having been served on the seventh day after the posting or insertion unless the contrary is show.
3. 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 of the description "Partner in the firm of (.....)" after his name.
4. 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 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 authorised to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on his behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office at Civil Registry, 3<sup>rd</sup> Floor, Kirk House, P.O. Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands.
9. These notes deal only with the more usual cases. In case of difficulty, a Defendant in person should refer to paragraph 8 above.