



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

CAUSE NO. G OF 2022

**In the Matter of Section 14 of the Grand Court Act (2015 Revision) and of GCR O.80,
rr.28 to 31**

**And in the Matter of Sections 18 and 19 of the Mental Health Act (2022 Revision) and
of GCR O.80, rr.2 to 3, 17 and 20 to 21**

**And in the Matter of an Application by Ms. Sheridan Brooks-Hurst (aka Shereden
Brooks) for Guardianship of her biological mother, Mrs. Elizabeth Verbena Brooks**

**BETWEEN: ELIZABETH VERBENA BROOKS PLAINTIFF
(BY HER CLOSE RELATIVE AND NEXT FRIEND,
ARLOND MCCARDIE BROOKS JR.)**

AND: SHERIDAN BROOKS-HURST DEFENDANT

ORIGINATING SUMMONS

TO: The Defendant, Sheridan Brooks-Hurst, c/o Brooks & Brooks, Attorneys-at-Law,
Two Artillery Court, George Town, Grand Cayman, Cayman Islands.

LET THE DEFENDANT, within 14 days after service of this Originating Summons on
her law office, counting the day of service, return the accompanying Acknowledgement of
Service to the Courts office, P.O. Box 495, George Town, Grand Cayman.

By this Summons, which is issued on the application of Elizabeth Verbena Brooks (by her
close relative and next friend, Arlond McCardie Brooks Jr.) c/o Orren Merren & Company,
Attorneys-at-Law, 15 Simmons Way, Grand Cayman, Cayman Islands, the Plaintiff claims
against the Defendant and seeks the determination of the Court on the following questions,
namely:

1. **WHETHER**, pursuant to section 14 of the Grand Court Act (2015 Revision) and sections 18 and 19 of the Mental Health Act (2022 Revision), the Grand Court has jurisdiction and power in this matter?
2. **WHETHER**, pursuant to GCR O.80, rr.2 to 3, Arlond McCardie Brooks Jr. should be appointed or confirmed to act as next friend and/or guardian ad litem in this Cause for Elizabeth Verbena Brooks (the "Patient")?
3. **WHETHER**, pursuant to GCR O.4, r.4, this Cause should be consolidated to be heard together with Cause G 95 of 2022?
4. **WHETHER**, in line with section 7(10)(a) of the Cayman Islands Constitution Order 2009, this action should be made subject to a confidentiality order?
5. **WHETHER**, it is now (or in the future would be) in the best interest of the Patient: (a) to continue residing with her son, Arlond Brooks Sr., in his residence at Unit #1, 45 Trophy Crescent, Prospect, Grand Cayman, Cayman Islands? (b) return to reside with the Defendant at the Defendant's residence? (c) return to reside at the Patient's former residence in Breakers, Grand Cayman, Cayman Islands? and/or (d) make some other suitable arrangement for the Patient's residence?
6. **WHETHER**, it is now (or in the future would be) in the best interest of the Patient: (a) to continue being cared for by nursing assistant Serine Pennace, who is also taking care of Arlond Brooks Sr.? (b) resume being cared for by the Defendant and her helper? and/or (c) make some other suitable arrangement for the Patient's care?
7. **WHETHER**, the Defendant should be required to file and to serve an affidavit that sets out in detail full and frank disclosure of: (a) how the Defendant has paid for expenses related to care of the Patient since she has been residing with the Defendant? (b) any and all assets of the Patient (including land holdings and bank accounts) in or over which the Defendant has any signatory power and/or direction and to what extent such assets have been used toward care of the Patient since she has been residing with the Defendant? and/or (c) any and all close relatives of the Patient who have been visiting her at the Defendant's residence and/or who have been residing at the Defendant's residence and to what extent such persons have been involved in taking care of the Patient?
8. **WHETHER**, the Defendant should be granted guardianship of the Patient and (if so) on what terms and conditions (including, but not limited to, those matters contemplated pursuant to section 19(a) of the Mental Health Act (2022 Revision))?
9. **WHETHER**, pursuant to section 11(2) of the Grand Court Act (2015 Revision) and/or to GCR O.15, r.16, the Plaintiff is now entitled to any declaratory orders and/or binding declarations of right respecting the matters set out in this Originating Summons and/or related matters?

10. **WHETHER** costs in this Cause should be awarded against the Defendant and in favour of the Plaintiff and/or the Plaintiff should be awarded any other relevant consequential orders in this Cause?

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

Dated this 5th day of May 2022.



Orren Merren & Company
Attorneys-at-Law for the Applicant

Note – This Originating 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 that date unless renewed by order of the Court.

IMPORTANT

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

TIME ESTIMATE: The estimated length of the first hearing of this Originating Summons is 30 minutes for directions as to further conduct of these proceedings.

THIS ORIGINATING SUMMONS was issued by Orren Merren & Company, Attorneys-at-Law for the Plaintiff, whose address for service is 15 Simmons Way, George Town, Grand Cayman, Cayman Islands.

**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.

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

Orren Merren & Company
Attorneys-at-Law
15 Simmons Way, George Town
P. O. Box 481, Grand Cayman KY1-1106
Cayman Islands

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