



COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2023

ADAM LLEWELYN

PLAINTIFF

AND

JAMES BODDEN

DEFENDANT

WRIT OF SUMMONS

TO: JAMES BODDEN
NEWLANDS
GRAND CAYMAN
CAYMAN ISLANDS

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 days after 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 495G, George Town, Grand Cayman, the accompanying Acknowledgement of Service, stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings the Plaintiff may proceed with the action and judgement may be entered against you forthwith without further notice.

Issued this day of 2023

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 Acknowledgement of Service are given with the accompanying form.

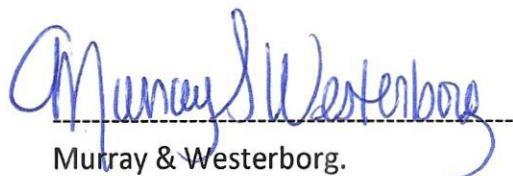
ENDORESEMENT

The Plaintiff, as Administrator of the Estate of Kathleen Anita Whittaker, claims an injunction to restrain the Defendant, whether himself, his servants or agents or otherwise howsoever from remaining on or from trespassing on property being Registration Section George Town Central Block 14CF Parcel 41.

AND THE PLAINTIFF CLAIMS:

1. An injunction to restrain the Defendant, whether by himself, his servants, or agents or otherwise from coming onto or remaining on property being Registration Section George Town Central Block 14CF Parcel 41.
2. Costs
3. An endorsement of a Penal Notice for the enforcement of all Orders made hereunder.
4. Costs.
5. Further or other relief as the Court deems necessary.

Dated this 27th day of March 2023


Murray & Westerborg.

THIS WRIT was issued by Murray & Westerborg, Attorneys-at-Law for and on behalf of the Plaintiff whose address for service is that of his said Attorney-at-Law, The Second Floor (Southwest Wing), Cayman Shipping Centre Building 10 Shipping Lane, George Town, Grand Cayman]

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2023

**BETWEEN
AND**

**ADAM LLEWELYN
JAMES BODDEN**

**PLAINTIFF
DEFENDANT**

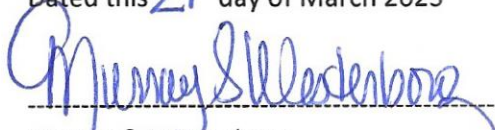
STATEMENT OF CLAIM

1. The Plaintiff is the duly appointed Administrator of the Estate of Kathleen Anita Whittaker (Deceased).
2. The only property to be administered by the Plaintiff in respect of the Estate of the Deceased is located at Registration Section George Town Central Block 14CF Parcel 41.
3. The Defendant resides in Newlands, Bodden Town, Grand Cayman and is not a beneficiary of the Estate of the Deceased.
4. Since on or about sometime in or around May 2022 to the present the Defendant has wrongfully entered and trespassed onto the said property and has caused damage to the said property, has obstructed the Plaintiff as he goes about his business in administrating the property and his failed to heed the warning made the Plaintiff for him to renown himself from the said home.
5. The Defendant threatens and intends, unless restrained by this Honorable Court, to repeat the acts complained of.
6. By reason of the matters aforesaid the Plaintiff is being unlawfully impeded in his duty to administer the said property.

AND THE PLSAIMNTIFF CLAIMES:

- (a) A Declaration that the Defendant is not entitled to enter on or use the said property .
- (b) An Injunction to restrain the Defendant whether by himself, his servants or agents or otherwise howsoever from entering onto the property.
- (c) The endorsing of a Penal Notice to any Order made against the Defendant.
- (d) Costs
- (e) Further or other relief as the Court deems appropriate.

Dated this 27th day of March 2023



 Murray & Westerborg
 Attorneys-at-Law for the Plaintiff.

THIS STATEMENT OF CLAIM was filed by Murray & Westerborg, Attorneys-at-Law for and on behalf of the Plaintiff whose address for service is that of his said Attorney-at-Law, The Second Floor (Southwest Wing), Cayman Shipping Centre Building 10 Shipping Lane, George Town, Grand Cayman]

Acknowledgment of Service of Writ of Summons (O.12, r.3)**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS****IF YOU INTEND TO INSTRUCT AN ATTORNEY TO ACT FOR YOU GIVE HIM THIS FORM IMMEDIATELY.**

1. The accompanying form of *Acknowledgement 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 signed by the Defendant and his Attorney (if any) and must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

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

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See over for notes for guidance

Please complete overleaf

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.
3. 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 Writ of Summons*)”
4. 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.
5. 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.
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 action on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by and Attorney acting for a guarding *ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2023

BETWEEN ADAM LLEWELYN PLAINTIFF
AND JAMES BODDEN DEFENDANT

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. Delay may result in judgement being entered against a Defendant whereby he may have to pay the costs of applying to set it aside. If any information required is omitted Or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

1. State the name of the Defendant by whom or on whose behalf the service of this Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick the 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 judgement entered by the Plaintiff (tick box).

yes

Service of the Writ is acknowledged accordingly

(Signed).....
[Attorney] for
[Defendant in person]
Address for service:

Please complete 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 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 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:

Murray & Westerborg
2nd Floor (Southwest Wing)
Cayman Shipping Centre Bldg.
10 Shipping Lane
George Town, Grand Cayman

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

[Empty box for defendant's attorney indorsement]