



OF GRAND COURT OF THE CAYMAN ISLANDS
N

CAUSE NO. of 2025

JOHN ROSS MCDONOUGH K.C.

PLAINTIFF

AND:

MCGRATH TONNER LLP

DEFENDANT

WRIT OF SUMMONS

TO: McGrath Tonner LLP
5th Floor
Genesis Building
Genesis Close
George Town
Grand Cayman

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, PO Box 495GT, George Town, Grand Cayman, the accompanying Acknowledgment of Service form 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 17th day of March 2025

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.

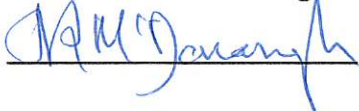
IMPORTANT

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

GENERAL INDORSEMENT

1. The Plaintiff is an individual and a resident of the Cayman Islands.
2. The Defendant is a limited liability partnership of attorneys registered and licensed to practice Cayman Islands law under the Cayman Islands Legal Practitioners Act (2022 Revision).
3. The Plaintiff claims against the Defendant an as yet unknown amount (which will be revealed following discovery/interrogatories) received by the Defendant from Brenda-Lee Gillian Lyons ("Lyons"), a former client of the Defendant at times when on the facts known to the Defendant it knew or ought to have known, or ought to have made the inquires that a reasonable person in the position of the Defendant would have made which would have revealed, that the funds it received from Lyons by way of payment of its legal fees had been stolen by Lyons from the Plaintiff or taken by Lyons in breach of trust from the Plaintiff and the Defendant therefore a constructive trustee of those funds which it held for the benefit of the Plaintiff.
4. However, despite demand the Defendant has failed to deliver those funds to the Plaintiff.

John Ross McDonough KC



Plaintiff

If within the time for returning the Acknowledgement of Service the Defendant pays to the Plaintiff the total amount claimed and all filing fees and all interest, claimed all further proceedings will be stayed.

Plaintiff's address for service:

Unit 322, The Grandview 95 Snooze Lane Grand Cayman

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

1. 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, PO Box 495GT, George Town, Grand Cayman.

2. A Defendant who states in their 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 their Defence within the appropriate time, the Plaintiff may enter judgment against them 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, 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 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 LIMITED COMPANY the form must be completed by an Attorney or by someone authorized 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 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.

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

CAUSE NO. of 2025

BETWEEN: John Ross McDonough KC

PLAINTIFF

AND: McGrath Tonner LLP

DEFENDANT

**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 appropriate box)

Yes

No

Service of the Writ is acknowledged accordingly

(Signed) _____

Attorney For

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 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 suing in person) of his name, address and reference, if any, in the box below.

Plaintiff
John Ross McDonough
Acting In Person
Unit 322, The Grandview
95 Snooze Lane
Grand Cayman
Cayman Islands

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

[Empty box for Defendant's Attorney indorsement]