

IN THE GRAND COURT OF THE CAYMAN ISLANDS

323
CAUSE NO. OF 1999

IN THE MATTER OF THE GUARDIANSHIP AND CUSTODY OF CHILDREN LAW (1996 REVISION)

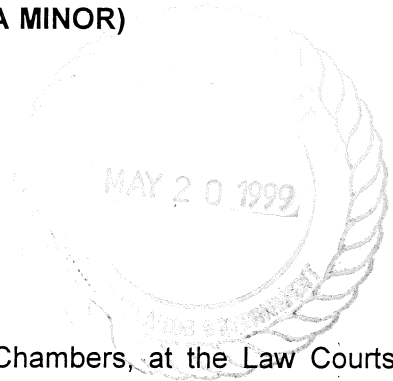
A N D

IN THE MATTER OF MATTHEW CHRISTOPHER EBANKS (A MINOR)

KIMBERLI EBANKS (A MINOR)



ORIGINATING SUMMONS



LET ALL PARTIES concerned attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the 13 day of July, 1999 at 9:30 o'clock on the hearing of an application on behalf of the minor children, Matthew Christopher Ebanks and Kimberli Ebanks by Christopher Ebanks, by which he seeks the following relief under Section 7 of the Guardianship and Custody of Children Law (1996 Revision):-

1. THAT an Order for the joint custody of the minor children, Matthew Christopher Ebanks, ("Matthew") and Kimberli Ebanks, ("Kimberli"), be made to the Applicant herein, Christopher Ebanks and the Respondent herein, Kathy-Mae Parchment.
2. THAT in the alternative, an Order for sole custody of the minor children, Matthew and Kimberli be made to the Respondent, with liberal access given to the Applicant and that such access be defined by this honourable Court.
3. THAT such further Order be made as this honourable Court shall deem just.
4. THAT provision be made for the cost of this Application.

DATED this 20th day of May, 1999.

Charles Adams Ritchie & Duckworth
CHARLES ADAMS, RITCHIE & DUCKWORTH

TO: THE CLERK OF COURTS

AND TO: THE RESPONDENT

Time Estimate: 1 hour

AND LET THE RESPONDENT within 14 days after service of this Summons on her counting the day of service, return the accompanying Acknowledgment of Service to the Court's Office.

NOTES:

1. 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 above date unless renewed by order of the Court.
2. If the Defendant does not attend personally or by his Attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient.

IMPORTANT

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

This Originating Summons was issued by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law, for and on behalf of the Applicant herein whose address for service is that of his said Attorneys-at-Law, P.O. Box 709GT, Zephyr House, Mary Street, George Town, Grand Cayman, 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 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 485G, 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.

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ACKNOWLEDGMENT 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 Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.
2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

_____ yes

_____ no

Service of the Originating Summons is acknowledged accordingly

(Signed)

[Attorney] for

[Defendant in person]

Address for service:

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

Charles Adams, Ritchie & Duckworth
Attorneys-at-Law
P.O. Box 709
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.