



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 170 of 2003

In the matter of the Guardianship and Custody of Children Law (1996 Revision)

AND in the matter of an application for the custody of the minor child Donovan Cleveland Lumby (date of birth: 7th November, 1998)

BETWEEN:

NELSON DILBERT

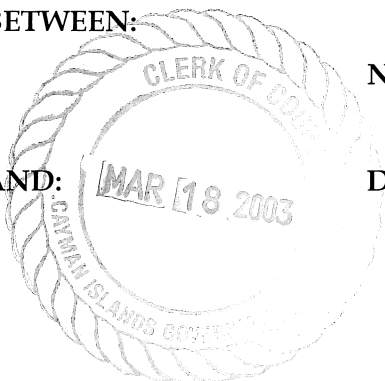


PLAINTIFF

AND:

DANIELLE LUMBY

RESPONDENT



ORIGINATING SUMMONS

To: Danielle Lumby

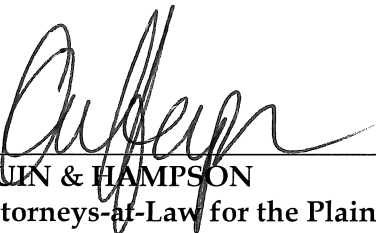
LET THE RESPONDENT, within 14 days after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts Office, PO Box 495, George Town, Grand Cayman.

By this Summons, which is issued on the application of NELSON DILBERT, c/o Quin & Hampson, Attorneys-at-Law, 3rd Floor, Harbour Centre, PO Box 1348, George Town, Grand Cayman, Cayman Islands, BWI, , the Plaintiff claims against the Respondent:

1. That the plaintiff and Respondent be granted joint custody, care and control of the minor child, Donovan Cleveland Lumby born on 7th November, 1998, until further Order of the Court.
2. That the minor child remain domiciled within the jurisdiction of the Cayman Islands and not to be removed without the written consent of both parents.
3. Such further and other relief as the Court deems just and equitable in the circumstances.

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

DATED this 14th day of March, 2003



QUIN & HAMPSON
Attorneys-at-Law for the Plaintiff

NOTE: 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 that date unless renewed by Order of the Court.

IMPORTANT

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

THIS ORIGINATING SUMMONS was filed by Messrs. Quin & Hampson, Attorneys-at-Law for the Plaintiff herein whose address for service and correspondence is that of its said Attorneys-at-Law, 3rd Floor, Harbour Centre, P.O. Box 1348, George Town, Grand Cayman, Cayman Islands, B.W.I.

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 Respondent or by the Respondent 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 Respondent (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 Respondent personally is treated as having been served on the day it was delivered to him.
3. Where the Respondent 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*)".
4. Where the Respondent 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 Respondent 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 Respondent 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 Respondent is a **MINOR** or a **MENTAL PATIENT**, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Respondent acting in person may obtain help in completing the form at the Courts Office.

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(date of birth: 7th November, 1998)

BETWEEN:

NELSON DILBERT

PLAINTIFF

AND:

DANIELLE LUMBY

RESPONDENT

ACKNOWLEDGMENT OF SERVICE

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY.

1. Have you received the Petition for divorce (and a copy of supporting affidavit) delivered with this form?

Yes

No

2. On what date did you receive it? _____

3. Are you the person named as the Respondent in the Petition?

Yes

No

4. Do you intend to defend the case?

Yes

No

5. *(In the case of a Petition alleging two years separation coupled with the Respondent's consent to a decree being granted)* Do you consent to a decree being granted?

Yes

No

6. *(In the event that the Petition being proved on the basis of two (2) years separation coupled with the Respondent's consent of five (5) years separation).* Do you intend to apply to the court for it to consider your financial position as it will be after the divorce?

Yes

No

7. *(In any case in which there are children of the family)* Even if you do not intend to defend the suit, do you object to the Petitioner's claim for custody and seek to make your own application for custody of the children?

Yes

No

Not applicable

Even if you do not object the Petitioner's claim for custody, do you intend to make an application for access to the children?

Yes

No

Not applicable

Service of the Originating Summons is acknowledged accordingly

Dated: _____

RESPONDENT

RESPONDENT'S ATTORNEY

Notes on address for service

Attorney: where the Respondent is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Respondent may not act by a foreign attorney.

Respondent in person: where the Respondent 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.

Indorsement by Petitioner's attorney (or by the Petitioner if suing in person) of his name and address in the box below.

Messrs. Quin & Hampson
Attorneys-at-Law
3rd Floor, Harbour Centre
P.O. Box 1348 GT
Grand Cayman

Indorsement by Respondent's attorney (or by the Respondent if acting in person) of his name and address in the box below.

This Originating Summons is filed by Messrs. Quin & Hampson, Attorneys-at-Law for and on behalf of the Second Respondent herein whose address for service and correspondence is that of her said Attorneys-at-Law, 3rd Floor, Harbour, Centre, PO Box 1348, George Town, Grand Cayman, Cayman Islands, BWI.