

IN THE GRAND COURT OF THE CAYMAN ISLANDS

IN THE MATTER OF THE GUARDIANSHIP AND CUSTODY OF CHILDREN'S

LAW 1996 REVISION

707/03

AND IN THE MATTER OF BRIANNAH ALEXI MYLES ( A MINOR )

BETWEEN: MICHAEL S. MYLES

PLAINTIFF

AND DEBBIE ANN WHITTAKER

DEFENDANT




**ORIGINATING SUMMONS**

LET the Defendant, Debbie Ann Whittaker of Northside, Grand Cayman, attend before the Judge of the Grand Court in Chambers at the Law Courts, George Town, Grand Cayman on the *14th* day of *January*, 2003 at *9:30* o'clock in the after/forenoon or so soon thereafter on the hearing of an application by the Plaintiff, Michael S. Myles of Grand Cayman for an order that he be awarded custody of the minor, Briannah Alexi Myles born on February 12, 1999.

AND LET the Defendant within 14 days of the service of this Summons on her, counting the day of service, return the accompanying Acknowledgment of Service to the Courts Office.

Dated this *31* day of October, 2003.

  
Morris M. Garcia  
Attorney-at-law

To: The Clerk of the Court

And to the Defendant c/o her attorneys-at-law, Samson Murray Jackson

Time estimate: 45 minutes

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 707 OF 2003

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

AND IN THE MATTER OF BRIANNAH ALEXI MYLES ( a minor )

BETWEEN

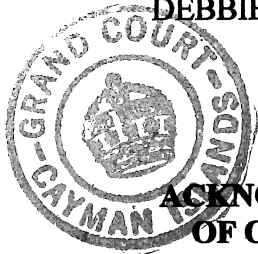
MICHAEL S.MYLES

Plaintiff

AND

DEBBIE ANN WHITTAKER

Defendant



**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.

YES

NO

## DIRECTIONS FOR ACKNOWLEDGMENT 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 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 Court's 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.

Service of the Originating Summons is acknowledged accordingly.

(Signed) \_\_\_\_\_

Attorney for:

Defendant in person

**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 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**

Morris M Garcia  
P.O.Box 253Sav  
Suite #2, Nevlaw Bldg, 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:**

--

## NOTES

1. 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 the above date unless renewed by order of the Court.
2. If a 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 deem just and expedient.

## IMPORTANT:

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

**This Originating Summons is issued by Morris M Garcia, Suite #2, Nevlaw Building, George Town, Grand Cayman, attorney-at-law for the Plaintiff.**