

IN THE GRAND COURT OF THE CAYMAN ISLANDS

741
CAUSE NO: OF 2003
LEGAL AID NO. 133/03

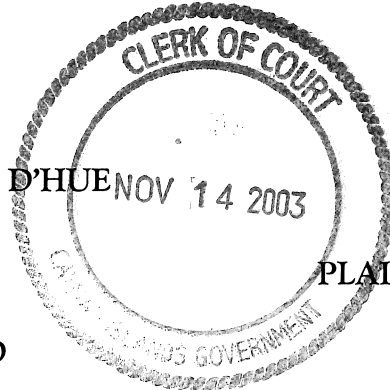
IN THE MATTER OF THE GUARDIANSHIP AND CUSTODY OF CHILDREN LAW

AND IN THE MATTER OF TISHA, KAMERON AND HALEY D'HUE
(Minors)

BETWEEN:



WAYNE D'HUE



PLAINTIFF

AND

KERRYLYNN POWERY

DEFENDANT

ORIGINATING SUMMONS

TO: Kerrylynn Powery
143 Fountain Road
West Bay, Grand Cayman

LET THE DEFENDANT, within 14 days after service of this Summons on her, counting the day of service, return the accompanying Acknowledgement of Service to the Courts Office, P.O. Box 495 GT, George Town, Grand Cayman.

By this Summons, which is issued on the application by the Plaintiff, Wayne D'Hue of 63B Armstrong Avenue, Lower Valley, Grand Cayman for an Order that he be granted sole custody, care and control of the minor children namely Tisha Marian D'Hue, Kameron Alexander D'Hue and Haley D'Hue and that the Defendant be awarded reasonable access to the children and pay maintenance towards the care and welfare of the said minors.

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

Dated the 13 day of November 2003

Hunter & Hunter

HUNTER & HUNTER

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 Acknowledgement of Service are given with the accompanying form.

THIS ORIGINATING SUMMONS was issued by Hunter & Hunter of The Huntlaw Building, 75 Fort Street, P.O. Box 190 GT, Grand Cayman, Cayman Islands (Ref. 50049), Attorneys-at Law for the Plaintiff.

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 495 GT, George Town, Grand Cayman.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement 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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AND IN THE MATTER OF TISHA, KAMERON AND HALEY
D'HUE (Minors)

BETWEEN:

WAYNE D'HUE

PLAINTIFF

AND

KERRYLYNN POWERY

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.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged:
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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

Defendant/Attorneys for Defendant

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.

Hunter & Hunter
Attorneys-at-Law
The Huntlaw Building
75 Fort Street
P.O. Box 190 GT
George Town
Grand Cayman
Ref: []

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