

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 126 OF 2006

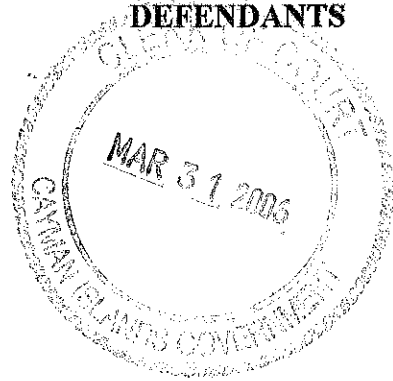
BETWEEN: CADIAN EBANKS PLAINTIFF

AND: (1) THE ATTORNEY GENERAL SAMUEL BULGIN  
(2) REGISTRAR OF LANDS ALICE ANN KIRCHMAN

DEFENDANTS

WRIT OF SUMMONS

TO: The Attorney General Samuel Bulgin  
4<sup>th</sup> Floor Government Admin. Bldg.  
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 21 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P0 Box 495 GT, George Town, Grand Cayman, the accompanying Acknowledgment of Service 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 31 day of March 2006

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.

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**STATEMENT OF CLAIM**

BROUGHT UNDER LIBEL PER SE

1. That you Attorney General, Samuel Bulgin did Order and direct, being directed by the Registrar of Lands and Survey to file a Prejudicial and Defamatory proceeding against the Plaintiff ( Cadian Ebanks) which you being a Public Official, being employed in the Cayman Islands is charged , libel per se (Constitute an abuse of office).
2. In addition the Registrar of Lands has made such a Defamatory Statement and you have instructed your personnel namely M. Dally to issue the Plaintiff on the said plaintiff (Cadian Ebanks ) which have severely damage his character and cause much humiliation to the said Plaintiff ( Cadian Ebanks.)
- 3 This document now is a Public Document which is Defamatory in Nature against the Plaintiff (Cadian Ebanks) which was heard in an open Court Room on February 8, 2006.
4. Further damages was done to the Plaintiff character which includes this suit (case) being displayed on the public notice board in the courts building, when ever the case came up for mention in court, which was a minimum of six (6) days where it could be seen by every person that entered and looked on the board.
5. The Predjudicial criticisms of the registrar ruling of the Plaintiff ( Cadian Ebanks) that he did not attend the meeting when requested to do so, the Registrar also ordered in his ruling that the Plaintiff alone pay for the survey to establish the missing boundary marks (as claimed). The Registrar also allege that the Plaintiff (Cadian Ebanks ) cut down the boundary markers (tree) however in paragraph c of his ruling he said the records contains measurement to enable the missing boundary marks to be replaced. However the (claimed) surveyors put their new iron pins in the same location of 178k And 178 d where the wood post is, that existed prior to 1974 commencement of cadastral survey , whose maps indicates, these marks.
6. This document includes a statement in paragraph 2 on page 2 of the Registrar Ruling which alleges that Cadian Ebanks has gained very marginally and has Destroyed Boundary Marks, for which the Registrar is charged, libel per se



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, P.O. Box 495G, George Town, Grand Cayman

2. A Defendant who states in his 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 his defence within the appropriate time, the Plaintiff may enter judgment against him 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, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, 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 installments or otherwise.

*See over for notes for guidance*

## 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 personally 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 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 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.

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BETWEEN: CADIAN EBANKS PLAINTIFF
AND: (1) THE ATTORNEY GENERAL SAMUEL BULGIN
(2) REGISTRAR OF LANDS ALICE ANN KIRCHMAN DEFENDANTS

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

Cadian Ebanks  
Po Box 223 WB  
207A Fountain Rd.  
West Bay 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.**

[Empty box for defendant's attorney indorsement]