

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. **471** OF 2006  
LEGAL AID NO. 138 OF 2006

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

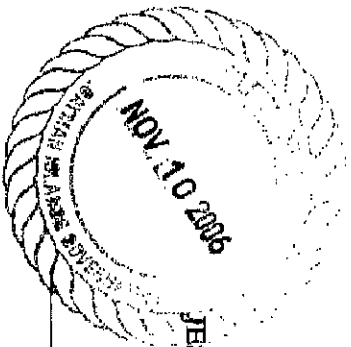
IN THE MATTER OF AN APPLICATION RELATING TO ELIJAH  
ALEXANDER KIMBALL, (A MINOR)  
BETWEEN:

FLOYD CHOLLETTE



Applicant

AND



JESSICA KIMBALL-CHRISTIAN

Defendant

ORIGINATING SUMMONS

LET THE DEPENDANT **Jessica Kimball-Christian of George Town, Grand Cayman** attend before the Judge of the Grand Court in Chambers at the Law Courts, George Town, Grand Cayman on the *6<sup>th</sup>* day of *February* 200~~6~~<sup>7</sup> at 9:30 o'clock in the forenoon on the hearing of an application on behalf of the Applicant Floyd Chollette of West Bay, Grand Cayman for the following Orders:

1. That the Applicant be granted joint custody of the minor child Elijah Alexander Kimball, date of birth 29 April 2005.
2. That the Applicant be granted defined access to the said child.

3. That the Applicant pay maintenance for the child in such sums as this Honourable Court deems appropriate.
4. Such further relief as this Honourable Court deems appropriate.

**AND LET THE DEFENDANT** within 14 days after the service of this originating summons on her counting the day of service return the accompanying Acknowledgment of Service to the Courts Office.

Dated this 10<sup>th</sup> day of November 2006

Appleby Hunter Bailhache  
Appleby Hunter Bailhache  
Attorneys at Law for the Applicant

**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 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 think just and expedient.

Time estimate: The estimated time for the Hearing of this Summons is 1-hour

**IMPORTANT**

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

Filed by Appleby Hunter Bailhache whose address for service is Clifton House, 75 Fort Street, PO Box 190 GT, Grand Cayman, Cayman Islands (Ref: ZM-11855.001)

**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 Acknowledgement 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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BETWEEN:

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Applicant

AND

JESSICA KIMBALL-CHRISTIAN

Defendant

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ACKNOWLEDGMENT OF SERVICE  
OF ORIGINATING SUMMONS

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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:
-

2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

YES

NO

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Service of the Originating Summons is acknowledged accordingly

\_\_\_\_\_

Date:

2006

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.

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

Appleby Hunter Bailhache  
Attorneys-at-Law  
Clifton House  
75 Fort Street  
P. O. Box 190 GT  
George Town  
Grand Cayman  
Ref. ZM-11855.001

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