

IN THE GRAND COURT OF THE CAYMAN ISLANDS

602004

CAUSE NO. OF 2008

IN THE MATTER OF SECTIONS 100 & 164 OF THE REGISTERED LAND LAW (2004 REVISION)

IN THE MATTER OF REGISTRATION SECTION LOWER VALLEY BLOCK 32E PARCEL 72

BETWEEN

DEYANIRA ANGLIN

PLAINTIFF

AND

KERRY DILBERT

DEFENDANT

ORIGINATING SUMMONS

TO: ISLANDS GOVERNMENT
KERRY DILBERT

84 Cadet Drive
Lower Valley, Grand Cayman

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

By this Summons, which is issued on the application of the Plaintiff, Deyanira Anglin, of Victory Drive, Prospect, Northward, Grand Cayman, the Plaintiff claims to be entitled to sever the joint ownership of that parcel of land being Registration Section Lower Valley Block 32E Parcel 72 or alternatively to an Order placing the property for sale in order for the Plaintiff to receive one-half of the net value of the said property and the Plaintiff further seeks a Declaration that she is entitled to either or both of the remedies claimed.

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 21st day of April 2008



Murray & Westerborg
Plaintiff's Attorneys-at-Law

NOTE – This Summons may not be served later than 4 calendar months (or if there is leave 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 issued by Murray & Westerborg, Attorneys-at-Law, for and on behalf of the Plaintiff whose address for service is that of her said Attorneys-at-Law, The Second Floor (East Wing) FIS Building, 196 Shedden Road, George Town, Grand Cayman.

Acknowledgment of service of writ of summons (O.12, r.3)

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 instalments or otherwise.

See over for notes for guidance

Please complete overleaf

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IN THE MATTER OF REGISTRATION SECTION LOWER VALLEY BLOCK 32E PARCEL 72

BETWEEN DEYANIRA ANGLIN PLAINTIFF
AND KERRY DILBERT DEFENDANT

ACKNOWLEDGEMENT 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 Delay may result in judgement being directions and notes for guidance entered against a Defendant whereby he carefully before completing this form. May have to pay the costs of applying to If any information required is omitted set it aside.
Or given wrongly, ***THIS FORM MAY HAVE TO BE RETURNED.***

1. State the name of the Defendant by whom or on whose behalf the service of this Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick the 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 judgement entered by the Plaintiff (tick box).

yes

Service of the Writ is acknowledged accordingly

(Signed).....
[Attorney] for
[Defendant in person]
Address for service:

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 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:

Murray & Westerborg
FIS Building (2nd Floor, East Wing)
196 Sheddin Road
George Town
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: