

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 261 OF 2008

IN THE MATTER OF THE STATUS OF CHILDREN LAW 2003 (Law 23 of 2003)

AND IN THE MATTER OF THE GUARDIANSHIP AND CUSTODY OF CHILDREN LAW (CAP. 65) (1996 Revision).

AND IN THE MATTER OF JAFETH GEORGE VELASQUEZ, AN INFANT BORN 4 SEPTEMBER 2000.

BETWEEN:

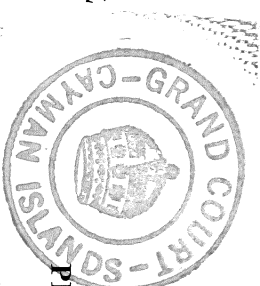
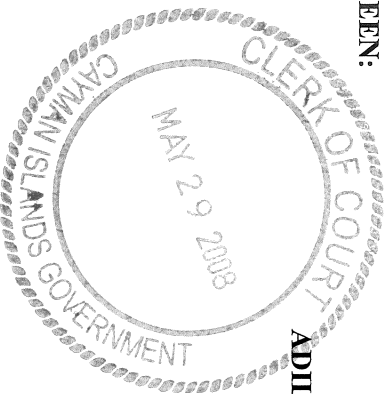
ADILIA GEORGE VELASQUEZ

PLAINTIFF

AND:

JOSEPH DACOSTA

DEFENDANT



ORIGINATING SUMMONS

TO: **JOSEPH DACOSTA**
C/o N & N Auto Mechanics
P.O. Box 46, Cayman Brac
Cayman Islands KY2-2101
Tel. 948-1262

LET **THE DEFENDANT**, within 14 days after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

BY **THIS SUMMONS**, which is issued on the application of Adilia George Velasquez of Prospect, Grand Cayman, the Plaintiff claims against the Defendant the following relief:

1. A declaration pursuant to s.10(1)(a) of the Status of Children Law 2003 declaring that the Defendant is the father of Jafeth George Velasquez, an infant born 4 September 2000 and such further and other relief as to this Honourable Court may seem just under the said Law including a parentage testing order;
2. An Order pursuant to s.7(1) of the Guardianship and Custody of Children Law (Cap. 65) (1996 Revision);

(a) granting the Plaintiff sole custody of the infant, Jafeth George Velasquez, born 4 September 2000 and/or ordering that he remain in her custody during his minority;

(b) granting the Defendant access to or visitation with the infant on such terms as may be ordered by this Honourable Court;

3. An Order pursuant to s.7(3) of the Guardianship and Custody of Children Law (Cap. 65) (1996 Revision) that the Defendant shall pay to the Plaintiff the sum of C\$750.00 per month towards the maintenance and education of the child, Jafeth George Velasquez, or such other weekly or monthly sum as the Court having regard to the means of the father, thinks reasonable;
4. An Order pursuant to s.9(1) of the Guardianship and Custody of Children Law (Cap. 65) (1996 Revision) that the sums paid by the Defendant for the maintenance and education of the child Jafeth George Velasquez shall continue beyond the date upon which he reaches the age of 18 and continue until he reaches the age of 21, provided that such payments during that period shall be made to Jafeth George Velasquez and not to the Plaintiff;
5. The costs of this application and such further and other relief as to this Honourable Court may see just.

IF THE DEFENDANT does not acknowledge service, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

DATED this 29th day of May 2008



C.S. Gill & Co., Attorneys-at-Law

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 Acknowledgment of Service are given with the accompanying form.

This Originating Summons was issued by C.S. Gill & Co., Attorneys-at-Law, attorneys for the Plaintiff, whose address for service is Genesis Building, 13 Genesis Close, P.O. Box 945, Grand Cayman, KY1-1102.

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS**

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 495, George Town, Grand Cayman KY1-1106.

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. 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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BETWEEN:

ADILIA GEORGE VELASQUEZ

PLAINTIFF

AND:

JOSEPH DACOSTA

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 (tick appropriate box) yes no

Service of the Originating Summons is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in person]

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 principal office.

Please complete overleaf

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

C.S. Gill & Co., Attorneys-at-Law
Genesis Building, 13 Genesis Close,
P.O. Box 945, Grand Cayman, KY1-
1102

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

