

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 135 of 2018

In the Matter of GCR O.7, r.2, O.29, r.1, sections 28(f)-(g), 135, 137(4) of the Registered Land Law (2018 Revision) (hereinafter the "Registered Land Law") and sections 19(1), 20, 23(b) of the Limitation Law (1996 Revision) (hereinafter the "Limitation Law").

BETWEEN:



KAREN IDITHA EBANKS

HARVEY H. PARCHMENT



ORIGINATING SUMMONS

TO: The Defendant, Mr. Harvey H. Parchment, of P.O. Box 509, Grand Cayman KY1-1302, Cayman Islands.

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

By this Summons, which is issued on the application of Karen Iditha Ebanks of P.O. Box 2150, Grand Cayman KY1-1005, Cayman Islands, the Plaintiff claims against the Defendant and seeks the determination of the Court on the following questions, namely:

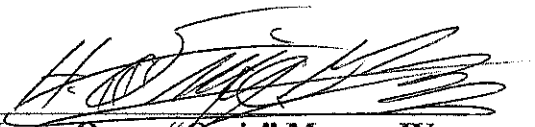
1. **WHETHER** the 12-year statutory limitation period expired for the Defendant to recover possession of land—registered as South Sound, Block 15C, Parcel 154 (hereinafter the "**Property**")—against the Plaintiff (in accordance with section 19(1) of the Limitation Law)?
2. **WHETHER** the Defendant now holds title to the Property on a statutory trust for the Plaintiff (in accordance with section 135 of the Registered Land Law, which has a direct interplay with section 23(b) of the Limitation Law)?
3. **WHETHER** the Plaintiff has a *prima facie* right to acquisition of the Defendant's title to the Property by way of adverse possession?
4. **WHETHER** the Defendant has breached the statutory trust (arising under section 135 of the Registered Land Law) by causing the supply of water and electricity to be disconnected at the Property in disregard of the needs and interests of the

Plaintiff-beneficiary in occupation and possession of (and the nine other family members residing at) the Property?

5. **WHETHER** the Plaintiff has overriding interests in the Property (under section 28(f)-(g) of the Registered Land Law)?
6. **WHETHER** the Defendant should be restrained from entering, wasting, damaging and/or in any way dealing with, encumbering and/or alienating the Property, until final determination of this matter?
7. **WHETHER** the costs are to be in the cause?

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 10th day of July 2018.


Henry Orren "Orrie" Merren IV
Attorney-at-Law for the Applicant

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 the Plaintiff's Attorney-at-Law, Henry Orren "Orrie" Merren IV, whose address for service is 15 Simmons Ways, George Town, P.O. Box 481, Grand Cayman KY1-1106, Cayman Islands.