

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FAMILY DIVISION

CAUSE NO. FAM 304 OF 2018

IN THE MATTER OF THE MATRIMONIAL CAUSES LAW (2005 REVISION)
SECTIONS 10 (1) (b)

BETWEEN: ERIKKA DELANIE GILBERT

PETITIONER

AND:

JASON CHRISTOPHER GILBERT

RESPONDENT



PETITION FOR DISSOLUTION OF MARRIAGE

This petition of ERIKKA DELANIE GILBERT states THAT:

1. On 17 May 2010 at Plantation Florida, United States of America, the above Petitioner was lawfully married to the above Respondent and up to the time of the said commencement of that marriage the marital status of the Petitioner and Respondent (together the "Parties") was as follows:
 - a) The Petitioner was a Maiden; and
 - b) The Respondent was a Bachelor.
2. Immediately after the celebration of the marriage in Florida, USA, the Parties resided at 3073 SW 128th Ave, Miramar, Florida 33027 in a townhouse that the Parties rented for approximately one (1) year.
3. On 2 July 2011 at Elmsie Church, George Town, Grand Cayman, Cayman Islands the Parties repeated their vows before family and friends in a more formal church ceremony (the "Cayman Wedding").

4. Following the celebration of the Cayman Wedding, the parties have lived and cohabited at the following addresses:
 - a) 4223 SW 124th Terrace, Miramar, Florida, United States of America;
 - b) 10407 Magnolia apt 1-201 North Hollywood, CA 91601, Los Angeles, California, United States of America ; and
 - c) 20 Sterling Lane, in District of East End, Cayman Islands.
5. The Respondent and the Petitioner currently reside together with the Children at 20 Sterling Lane, in District of East End, Cayman Islands.
6. The Court has jurisdiction of the said marriage by reason that the Petitioner has been ordinarily resident in the Cayman Islands for a period in excess of two (2) years prior to the presentation of this Petition.
7. The Petitioner and the Respondent have two (2) children (twins) born of the marriage who are under the age of eighteen (18) years (the "Children" or the "Twins").
8. That the Petitioner's proposal for the upbringing of the Twins is as follows:
 - a) that the Twins reside solely with the Petitioner, with the Respondent having access to the Twins on alternating days during weekends each month or as may be agreed between the parties from time to time.
9. That there have been no previous proceedings brought by either the Petitioner or the Respondent in any Court either inside or outside the Cayman Islands with respect to the said marriage.

PARTICULARS OF SEPARATION

10. The Petitioner makes this Petition on the ground that:
 - a) the respondent has behaved in such a way that the petitioner cannot reasonably be expected to live with the respondent.

11. The Respondent on numerous occasions has stated that he values his work and career more so that the Petitioner, which has caused the Petitioner distress.
12. The Respondent has consistently shown little or no interest in socializing with the Petitioner and has made only sporadic effort to engage in activities or events with the Petitioner and the Children.
13. The Respondent repeatedly stays out into the early hours of the morning or overnight causing the Petitioner much anxiety.
14. The Respondent has repeatedly and intentionally conducted himself grossly inappropriately with other women in the Petitioner's presence and absence, and separately within their matrimonial home and previously shared residences, causing the Petitioner prolonged and severe distress, anxiety and issues with her self-esteem.
15. The Respondent does not generally assist the Petitioner with the care of the Children.
16. The Petitioner believes that the marriage has broken down irretrievably with no chance of reconciliation and that it is in the best emotional interest of both the Petitioner and the Respondent to part ways.
17. There is no impediment to the Honourable Court granting a decree of dissolution of the marriage.
18. There are matrimonial properties to be considered including those below listed properties registered at the Land Registry in the Cayman Islands as follows:
 - a) Block 53A/Parcel 138 Land (the "Northside Property");
 - b) 20 Sterling Lane, East End - Block: 59a/Parcel 142 H3 & H4 (the "East End Property");
 - c) Savannah Newlands Land: (Inherited) Block 27 C, Parcel 666 (the "Savannah Property")

(together the "Matrimonial Property" and individually referred to as their respective names)

19. The Petitioner's proposal for the division of the Matrimonial Property is that she retain, solely the following Matrimonial Property:

- a) Northside Property (currently valued at \$243,000 Cayman Islands Dollars; and
- b) Savannah Property (previously owned by the Petitioner's father) which was given to the Petitioner pursuant to her parents' divorce proceedings), such property (currently valued at \$255,000 Cayman Islands Dollars).

20. The Petitioner proposes that since the East End Property (currently valued at \$325,000 Cayman Islands Dollars) has a studio built in, the Respondent (a professional music producer who makes a living by producing music for various well-known and international music artist) should remain in the East End Property where the Petitioner, the Respondent and their two children currently reside.

THE PETITIONER THEREFORE PRAYS:


- (1) That the said marriage be dissolved on the grounds stated at paragraph 9 above;
- (2) That this Honourable Court make an order granting to the Petitioner, sole custody of the Children, with access to the Children in favour of the Respondent as follows and also on terms to be agreed between the Petitioner and the Respondent from time to time:

- a) That the Respondent take the Twins during alternating days each weekend; and
- b) That on the weekend days which the Respondent will have the Twins, the Respondent shall pick up the Twins on Friday afternoon from the school where the Twins currently attend Tiny Tots Hinds Way, – Off Walkers Road, Grand Cayman, Cayman Islands and return them to the Petitioner by 10.00 a.m. on the Sunday of that same weekend. The following weekend, The

Petitioner would drop the kids on Saturdays at 10am for the Respondent to keep the Twins Saturdays and Sundays and drop them to school Mondays. Where the Petitioner would collect them after school on that said day Monday by 4:00pm. Alternating the above listed schedule.

- (3) That this Honourable Court make an order for child support in the amount of \$3,350 Cayman Islands Dollars, monthly (towards the maintenance of the Twins for costs including but limited to medical insurance coverage, extra-curricular activities, food, clothes and travel expenses and any other expenses concerning the Twins as may be agreed between the Petitioner and the Respondent from time to time) until the Twins attain the age of 18 years or 25 years of age if attending university/college;
- (4) That any orders for spousal and child support made by this Court shall be increased in accordance with the Respondents earnings;
- (5) That the Northside Property and the Savannah Property be transferred legally to the Petitioner as the sole owner of those properties;
- (6) That the East End Property be transferred legally to the Respondent as the sole owner of that property;
- (7) That this Honourable Court make such other orders pursuant to the Matrimonial Causes Law as may be deemed just and equitable if cannot be agreed between the Parties; and
- (8) Such further or other order(s) as the Honourable Court deems just and equitable.

Dated this 10th day of December 2018.



Erikka D. Gilbert
Petitioner

DETAILS FOR SERVICE

ON THE RESPONDENT:

20 Sterling Lane
District of East End
Grand Cayman
Cayman Islands

OR

109 Hinds Way (Parking Lot)
George Town
Grand Cayman
Cayman Islands

FOR SERVICE ON THE PETITIONER:

Quality Law Services (Petitioner's Attorneys)
Suite 102, Cannon Place
North Sound Road
P.O. Box 712
Grand Cayman KY1-9006
Cayman Islands

Department of Health • Vital Statistics

STATE OF FLORIDA MARRIAGE RECORD

TYPE IN UPPER CASE USE BLACK INK

This license not valid unless seal of Clerk, Circuit or County Court, appears thereon.

Date Returned: JUN 08 2010

Recorded: Book 2010 Page 5825

Howard C. Forman, Clerk of Court

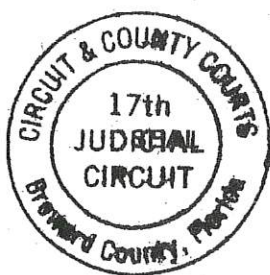
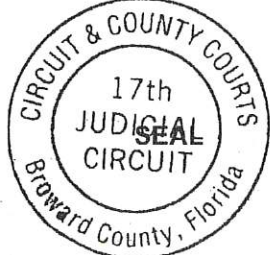
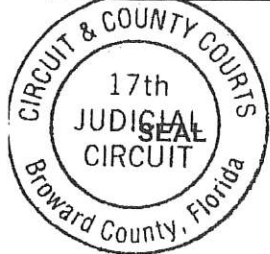
By: TM Deputy Clerk

ML-AA-2010-000443

APPLICATION NUMBER

APPLICATION TO MARRY

Form with fields for GROOM'S NAME (JASON CHRISTOPHER GILBERT), BRIDE'S NAME (ERIKKA DELANIE MOXAM), RESIDENCE (MIRAMAR), COUNTY (BROWARD), STATE (FLORIDA), and BIRTHPLACE (CAYMAN ISLANDS).



Signature section with fields for SIGNATURE OF GROOM, TITLE OF OFFICIAL (DEPUTY CLERK SHENIKA BENNETT), SIGNATURE OF BRIDE, and TITLE OF OFFICIAL (DEPUTY CLERK SHENIKA BENNETT).

LICENSE TO MARRY

License section with fields for COUNTY ISSUING LICENSE (BROWARD), DATE LICENSE ISSUED (MAY 12, 2010), DATE LICENSE EFFECTIVE (MAY 15, 2010), EXPIRATION DATE (JUL 13, 2010), and SIGNATURE OF COURT CLERK OR JUDGE (DEPUTY CLERK SHENIKA BENNETT).

CERTIFICATE OF MARRIAGE

Certificate section with fields for DATE OF MARRIAGE (MAY 17, 2010), CITY, TOWN, OR LOCATION OF MARRIAGE (PLANTATION), NAME AND TITLE OF PERSON PERFORMING THE CEREMONY (JOANNA OJEDA, DEPUTY CLERK), and ADDRESS (100 NORTH PINE ISLAND ROAD).

INFORMATION BELOW FOR USE BY VITAL STATISTICS ONLY. NOT TO BE REPRODUCED

I, Juliet Fenn, a Notary Public in and for the Cayman Islands, hereby certify this document to be a true and correct copy of the original as presented to me.

This 10 day of December 2018

Signature of Juliet Fenn and commission expiration date: (My commission expires on 31 January 2019)

Acknowledgement of Service

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF DIVORCE PETITION**

***IF YOU INTEND TO INSTRUCT AN ATTORNEY TO ACT FOR YOU, GIVE
HIM THIS FORM IMMEDIATELY***

1. The accompanying form of Acknowledgement of Service should be completed by an attorney acting on behalf of the Respondent or by the Respondent if acting in person.
2. After completion it must be signed by the Respondent and his attorney (if any) and must be delivered or sent by post to the Law Courts, P.O. Box 495 GT, George Town, Grand Cayman.
3. The Acknowledgement of Service must be filed at Court and served on the attorney for the Petitioner (or on the Petitioner, if acting in person) within fourteen days after service of the Petition.
4. A Respondent who states in his Acknowledgement of Service that he intends to contest the proceedings must also serve an Answer on the attorney for the Petitioner (or on the Petitioner, if acting in person) within fourteen days after service of the Petition.
5. The Petition will be treated as an "undefended petition" in respect of which a decree of divorce may be pronounced without the need for any hearing in open court unless an acknowledgement of service form in which you have stated an intention to defend has been filed at the Court office within fourteen days of service of the Petition.
6. In the case of Petitions served outside the Cayman Islands, the periods within which the Respondent must file an Acknowledgement of Service and any Answer are extended by fourteen days.

Please complete overleaf

Matrimonial Causes Rules (2003 Revision)

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SECTIONS 10 (1) (b)

BETWEEN: ERIKKA DELANIE GILBERT

PETITIONER

AND: JASON CHRISTOPHER GILBERT

RESPONDENT

ACKNOWLEDGMENT OF SERVICE

If you intend to instruct an Attorney to act for you, give him this form
IMMEDIATELY

1) Have you received the Petition for divorce (and copy of supporting affidavit)
Delivered with this form?

Yes

No

2) On what date did you receive it?

3) Are you the person named as the Respondent in the Petition?

Yes

No

4) Do you intend to defend the case?

Yes

No

5) (In the case of a Petition alleging two years separation coupled with the
Respondent's consent to a decree being granted) Do you consent to a decree
being granted?

Yes

No

Matrimonial Causes Rules (2003 Revision)

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RESPONDENT

ACKNOWLEDGMENT OF SERVICE (cont'd)

6) (In the event that the Petition being proved on the basis of two years separation coupled with Respondent's consent or five years separation). Do you intend to apply to the court for it to consider your financial position as it will be after the divorce?

Yes

No

7) (In any case in which there are children of the family) Even if you do not intend to defend the suit, do you object to the Petitioner's claim for custody and seek to make your own application for custody of the children?

Yes

No

Not applicable

8) Even if you do not object to the Petitioner's claim for custody, do you intend to make an application for access to the children?

Yes

No

Not applicable

Service of the petition on JASON CHRISTOPHER GILBERT, the Respondent is acknowledged accordingly on the day of 2018.

Respondent

Respondent's Attorney (if applicable)