

IN THE GRAND COURT OF THE CAYMAN ISLANDS

IN THE MATTER OF THE STRATA TITLES REGISTRATION LAW

CAUSE NO: **196** OF 2019

BETWEEN:



GLOBAL MARKETING ASSOCIATES LLC

PLAINTIFF

AND:

THE PROPRIETORS, STRATA PLAN NO. 44

DEFENDANT



ORIGINATING SUMMONS



To: The Proprietors, Strata Plan No. 44

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

By this Summons which is issued on the application of the Plaintiff, c/o their Attorneys at 4th Floor Harbour Centre, 42 North Church Street, George Town, Grand Cayman, the plaintiff seeks the following relief of the Court;

1. A declaration that the Defendant is in breach of its obligations under the Strata Titles Registration Law and its Bye-laws in the following respects:
 - 1.1 It has failed to provide copies of the books of account to the plaintiff upon written request with such request having been made by the plaintiff on 20th September 2018 and various dates thereafter to date of issue of these proceedings.
 - 1.2 It has failed to keep minutes of the meetings of its Executive Committee.
2. An order that the defendant do provide books of account for the Defendant Strata to the Plaintiff, its servants or agents within 28 days of being so ordered.
3. An order for the costs of the proceedings in favour of the Plaintiff.
4. Such other orders and relief as the court deems appropriate.

If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation

Dated the 22 day of November 2019

KSG

KSG Attorneys-at-Law
For the Plaintiff

NOTE:-

- (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.

IMPORTANT

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

**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 495G, George Town, Grand Cayman.

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.

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

KSG Attorneys at Law
42 North Church Street
P.O. Box 2255
Grand Cayman KY1-1107
Cayman Islands

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

