

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 28 OF 2020

IN THE MATTER OF SECTION 55 OF THE REGISTERED LAND LAW (2018 REVISION)

BETWEEN:

RESIDENTIAL PROPERTIES INVESTMENT LTD



-AND-

DEBBIE BROWN



PLAINTIFF

DEFENDANT



ORIGINATING SUMMONS

LET the Defendant of PO BOX 11682, KY1-1109, Grand Cayman and all person in occupation of property located at 10 Chelsea Courts, 127 Newport Avenue, George Town, Grand Cayman, Cayman Islands, Block 14E and Parcel 581 ("**the Property**") attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on _____ at _____ upon an application by the Plaintiff of P.O. Box 30758, KY1-1204, Grand Cayman, Cayman Islands, a lessor pursuant to the terms of a Lease dated 5 December 2019 entered into between the Plaintiff and the Defendant ("**the Lease**"), for the following declarations and orders:-

1. That the Plaintiff lessor has the right to forfeit the Lease pursuant to section 55 of the Registered Land Law (2018 Revision)
2. That the Lease was terminated with effect from 22 January 2020
3. That the Plaintiff lessor has the right of re-possession of the Property with the immediate right of re-entry upon the Property.
4. That the Defendant do deliver up the Property forthwith, or alternatively, the Plaintiff has leave to issue a Writ of Possession pursuant to Order 45, rule 3 of the Grand Court Rules 1995 (As Revised).

5. That Judgment against the Defendant Lessor be entered in the sum of CI\$ 1,200.00
6. That the Defendant pay the Plaintiff's costs on an indemnity basis pursuant Clause 21 and/or 23 of the Lease.
7. Such further or other relief and directions for sale by private treaty as the court may think just.

AND 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.

IMPORTANT

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

Dated the 12th day of February 2020



Nelson & Company

THIS ORIGINATING SUMMONS was issued by Nelson & Company, Attorneys-at-Law for the Plaintiff herein whose address is P.O. Box 2075, 31 The Strand, 46 Canal Point Drive, George Town, Grand Cayman, KY1-1105.

TIME ESTIMATE: The estimated length of the hearing of this summons is 1hr

Acknowledgement of service of originating summons (0.10, r.5)

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.

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**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.

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

Nelson & Company
31 The Strand
PO Box 2075
Grand Cayman KY1 - 1105
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.

[Empty box for defendant's Attorney indorsement]