

IN THE GRAND COURT OF THE CAYMAN ISLANDS
PROBATE AND ADMINISTRATION

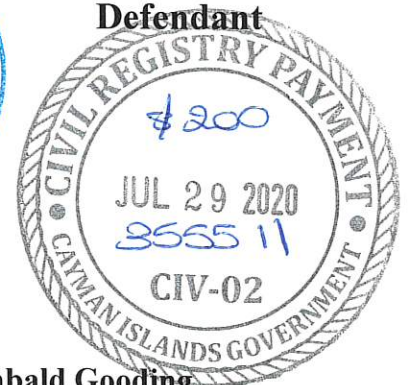
CAUSE NO. 108 OF 2020

BETWEEN: ZONIA LOLITA PEARSON GOODING

Plaintiff

AND: JULIETTE GOODING
(AS EXECUTOR OF THE ESTATE OF DAVID
ARCHIBALD GOODING)

Defendant



WRIT OF SUMMONS

TO: Juliette Gooding (as Executor of the Estate of David Archbald Gooding deceased)
15 Brisbane st.
Lower Valley,
Bodden Town,
P.O. Box 203, Grand Cayman
KY1-1501, Cayman Islands

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

Within [14 days] after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495G, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 29th day of July 2020

NOTE - This Writ 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 date of issue unless renewed by order of the Court.

IMPORTANT

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

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
PROBATE AND ADMINISTRATION**

CAUSE NO. OF 2020

BETWEEN: ZONIA LOLITA PEARSON GOODING Plaintiff

**AND: JULIETTE GOODING
(AS EXECUTOR OF THE ESTATE OF DAVID
ARCHIBALD GOODING) Defendant**

STATEMENT OF CLAIM

1. The Plaintiff claims as the lawful wife and one of the persons entitled in the event of an intestacy, to share in the estate of David Archbald Gooding, deceased, late of #60 Merrimac Close, Northward, Bodden Town, Grand Cayman, Cayman Islands, who dies on the 7th day of April 2020, to have the probate of an alleged Will of the said deceased dated the 19th day of March 2020 if granted be Revoked and or the said alleged Will pronounced against as invalid, and to have a grant of Letters of Administration of the estate of the said deceased.
2. The Defendant is the Executor of the said Estate of David Archbald Gooding, deceased by the alleged Will of the said deceased dated 19th March, 2020.
3. The alleged Will of the said deceased purported to be executed in contemplation of marriage and allegedly dated the 19th day of March 2020 was not duly executed in accordance with the Wills Law (2004 Revision).

Particulars

- a) The Plaintiff was lawfully married to David Archbald Gooding on the 19th day of March 2020.

- b) On the 19th of March 2020 the deceased, David Archbald Gooding, was in the physical presence of the Plaintiff, before, during and after said marriage. The deceased David Archbald Gooding did not sign the alleged Will on the 19th day of March.
 - c) The alleged Will was signed by the deceased David Archbald Gooding on the 21st day of March 2020.
 - d) On the 21st day of March, 2020, David Gooding Junior came to the matrimonial home where the Plaintiff and David Archbald Gooding, the deceased, were living, and he took the deceased to an unknown location.
 - e) On David Archbald Gooding's return to the matrimonial home, later that day on the 21st March 2020, he told the Plaintiff that he had to climb a steep step of stairs despite his medical condition, to someone's house where he was given a Will to sign.
4. On the 19th day of March 2020, the deceased, David Archbald Gooding, and the Plaintiff were together for the entire time. Another person, namely, Mrs. Anne Marie Whitley was with the Plaintiff and the deceased, David Archbald Gooding during the 19th March 2020, all day.
 5. The said alleged Will was not signed nor acknowledged by the deceased, David Archbald Gooding in the presence of the two witnesses to the alleged Will on 19th March 2020.
 6. The said alleged Will was executed after the Plaintiff's marriage to the deceased, David Archbald Gooding on the 19th March 2020.
 7. The Defendant intends, unless restrained by this Honourable Court to continue to deal with this alleged Will as Executor of the said deceased estate.

And The Plaintiff Claims:

1. That the Court shall Revoke a Grant of Probate of the alleged Will if granted.
2. Pronounce against the force and validity of the said alleged Will dated 19th March 2020.
3. An Injunction to Restrain the Defendant by herself, her servants, or agents or otherwise howsoever from dealing with the said alleged Will or acting as the Executor of the said alleged Will until this matter has been formerly pronounced on by the Court.
4. Costs.
5. Such further or other relief as this Honourable Court deems proper.

Dated this 23rd day of July 2020



A. Steve McField & Associates
Attorneys for the Plaintiff

To: The Clerk of the Court

And to: The Defendant, Juliette Gooding

THIS Statement of Claim was **FILED** by **A. STEVE MCFIELD & ASSOCIATES** of P.O. Box 680 GT, Grand Cayman, KY1-1107, Cayman Islands, Suite D2, Cayman Business Park, 10 Huldah Avenue, Attorneys-at-Law, whose address for service is that of his said Attorney-at-Law.

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 or principal 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.

A. Steve McField & Associates
Suite D2, Cayman Business Park,
10 Huldah Avenue,
P.O. Box 680 GT,
KY1-1107, Grand Cayman,
Cayman Islands

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

Acknowledgement of service of writ of summons (0.12, r.3)

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

1. 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.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See over for notes for guidance

Please complete overleaf

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. 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.
3. 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 Writ of Summons)".
4. 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.
5. 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.
6. 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.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.