

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: GC OF 2020

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

AND IN THE MATTER OF REGISTRATION SECTION LOWER VALLEY BLOCK 38B PARCEL 437

BETWEEN

BUTTERFIELD BANK (CAYMAN) LIMITED

Plaintiff

-AND-

MR. LLOYD HORATIO MCBEAN

Defendant



ORIGINATING SUMMONS

LET THE DEFENDANT, of P.O. Box 1278, George Town, Grand Cayman KY1-1108 attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the day of 2020, at o'clock on the hearing of an application by the Plaintiff for the following Orders:

1. That the Defendant or any person occupying the property known as Registration Section Lower Valley, Block 38B, Parcel 437 (the "Property") shall deliver up vacant possession of the Property forthwith;
2. That the Plaintiff has leave to issue a Warrant of Possession in the event that the Defendant and/or the occupants do not comply with paragraph 1 above; and
3. That the Defendant shall pay costs of this application to be added to the security.

Dated this 18th day of November 2020

Hsm chambers

HSM Chambers
Attorneys-at-Law for the Plaintiff

TIME ESTIMATE: 45 minutes

TO: The Clerk of the Court
Judicial Administration
P.O. Box 495
CAYMAN ISLANDS, KY1-110

AND TO: The Defendant

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF ORIGINATING SUMMONS**

The accompanying form of Acknowledgement 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, PO Box 495 GT, George Town, Grand Cayman KY1-1104.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement 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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B E T W E E N

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ACKNOWLEDGMENT 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

Date:

Attorneys for Defendant

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 or principal office.