



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2021

IN THE MATTER OF SECTION 14 OF THE GRAND COURT ACT (2015 REVISION)

AND IN THE MATTER OF SECTIONS 18 & 19 OF THE MENTAL HEALTH ACT, 2013 (ACT 10 OF 2013)

AND IN THE MATTER OF GRAND COURT RULES O.80

AND IN THE MATTER OF Dr. DESIREE ANN CHRISTIE aka Dr. DESIREE ANN CHARLES aka DESIREE ANN CHRISTIE aka DESIREE ANN CHARLES

BETWEEN: MARLENE YVONNE RICKETTS & JEAN LORRAINE SPENCE

- APPLICANTS

AND: Dr. DESIREE ANN CHRISTIE aka Dr. DESIREE ANN CHARLES aka DESIREE ANN CHRISTIE aka DESIREE ANN CHARLES

- RESPONDENT

ORIGINATING SUMMONS

To: To Dr. DESIREE ANN CHRISTIE aka Dr. DESIREE ANN CHARLES aka DESIREE ANN CHRISTIE, aka DESIREE ANN CHARLES, of House #23 Hibiscus Lane, Tropical Gardens, Crewe Road, George Town, P.O. Box 11011, APO, Grand Cayman KY1-1007, Cayman Islands, British West Indies.

LET THE RESPONDENT attend before a Judge of the Grand Court in Chambers at the Law Courts, George Town, Grand Cayman on the _____ day of 2021 at _____ o'clock in the fore/afternoon on the hearing of an application by the Applicant who seeks the determination of the Court on the following question, namely an Order:-

1. Joint Guardianship of Dr. DESIREE ANN CHRISTIE aka Dr. DESIREE ANN CHARLES aka DESIREE ANN CHRISTIE aka DESIREE ANN CHARLES (“the Patient”), of House #23 Hibiscus Lane, Tropical Gardens, Crewe Road, George Town, P.O. Box 11011, APO, Grand Cayman KY1-1007, Cayman Islands, British West Indies, be granted to her two close friends, MARLENE YVONNE RICKETTS, of P.O. Box 12399, Grand Cayman KY1-1011, Cayman Islands, and JEAN LORRAINE SPENCE, of P.O. Box 11296, Grand Cayman KY1-1008, Cayman Islands (“the Joint Legal Guardians”).
2. That the Joint Legal Guardians be appointed Joint Receivers of the estate of the Patient pursuant to GCR 0.80 r.17.
3. That the Joint Legal Guardians aka the Joint Receivers be hereinafter referred to collectively as the “Joint Legal Guardians.”
4. That the Joint Legal Guardians be authorized to provide the required consent for and on behalf of the Patient for medical treatment (as defined in the Mental

Health Act) or other medical procedures which she may require, and all follow-up medical procedures which may become necessary in the future.

5. That the Joint Legal Guardians be authorized to sign any documents, whether medical or legal necessary for the Patient's treatment, or any other needs which may arise.
6. That the Joint Legal Guardians be authorized to sign and/or execute any documentation, or give any instructions in relations to the Patient's financial affairs at Cayman National Bank Ltd. ("the Bank") or the Cayman Islands Civil Service Co-Operative Credit Union Limited ("the Credit Union") RL360 Investment Account in the Isle of Man ("the RL360 Account"), or elsewhere.
7. That the Joint Legal Guardians be authorized to hire, employ, retain nursing and/or home care assistance and services which may be required to assist the Joint Legal Guardians with the Patient's care as and when required.
8. That the Joint Legal Guardians be authorized to pay out of the funds of the Patient at the Bank, or any other bank, or banks, or the Credit Union, or the RL360 Account, any salaries, pensions, health insurance, expenses, hospital, medial charges and all other expenses relating to services or treatment provided to the Patient.


9. That the Joint Legal Guardians be authorized to carry out and execute any and all necessary or required actions, instructions or decisions which the Joint Legal Guardians consider necessary for the Patient's well-being and care.
10. That the Joint Legal Guardians be authorized to manage, sell, acquire, charge or deal with any asset or real property or properties which may be owned by the Patient, or in which the Patient has a vested interest.
11. That the Joint Legal Guardians be hereby authorized to execute or sign all banking resolutions, banking forms in the name of the Patient, or for the Patient, any and all forms required by the Bank and/or the Credit Union, and/or the RL360 Account to access, regularize and operate any bank accounts held by the Bank and/or the Credit Union, or the RL360 Account in the name of the Patient (collectively "the Accounts") (including the withdrawal of funds from the Accounts).
12. That the Joint Legal Guardians be appointed Joint Receivers of the estate of the Patient pursuant to GCR. 0.80, r.17.
13. That the Joint Legal Guardians are hereby authorized to deposit into and withdraw from the Accounts or from any bank, credit union, or lending institution in the Cayman Islands and elsewhere ("the Other Accounts") such of the Patient's

monies as may be necessary for the proper care, maintenance, upkeep and medical expenses and welfare of the Patient.

14. That the Joint Legal Guardians be at liberty to close the Patient's existing Bank Accounts at the Bank and/or the Credit Union and/or the RL360 Account, and to open a new bank account or accounts ("the New Accounts") in the names of the Joint Legal Guardians at a bank or a credit union of their choice in the Cayman Islands for the proper banking, use and accounting of the assets of the Patient and the said New Accounts to be operated under the signatures of the Joint Legal Guardians, signing together, and to transfer to the New Accounts the balance held in the Accounts.
15. That the Joint Legal Guardians shall keep proper accounts of income and expenditure of the administration and management of the assets of the Patient and shall henceforth be maintained and filed in this Honourable Court every twelve (12) months from the date hereof by the Joint Legal Guardians.
16. That the reasonable cost of this application and the reasonable cost of the Joint Legal Guardians incidental to and consequent upon this Order shall be paid from the Accounts, the Other Accounts, the New Accounts or any other account or accounts at a bank, credit union, or lending institution in the Cayman Islands, or elsewhere in the name of the Patient.

17. That this Honourable Grand Court allow the Legal Guardians/Receivers to be remunerated for their services as Legal Guardians and Receivers in accordance with O.80, r. 22(2) at such amount, or at such rate as this Honourable Grand Court considers reasonable and proper, and that any remuneration so allowed shall constitute a debt due to the Legal Guardians/Receivers from the Patient's estate.
18. That any act, deed or thing to be done or document to be signed by the Joint Legal Guardians appointed, shall be in compliance with the Order of this Honourable Court in this Cause, if properly signed by the Joint Legal Guardians, signing together.
19. That there be liberty to apply.

DATED this 29 day of April, 2021



MORRIS GARCIA
ATTORNEY-AT-LAW FOR THE APPLICANTS

NOTE: (1) This Summons must not be served later than 4 months beginning with the above date unless renewed by the Court.

(2) If a Respondent does not attend personally or by his Attorney-at-law at the time and place above mentioned such Order will be made as the Court may think just and expedient.

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

TO: The Clerk of the Court

AND TO: The Respondent

This Originating Summons is filed by Morris Garcia, attorney-at-law for the Applicant, whose address for service is that of their said attorney, P.O. Box 253, Grand Cayman KY1-1501, Cayman Islands, British West Indies

Acknowledgement of service of originating summons (O.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 495, Grand Cayman KY1-1106, Cayman Islands.

Notice 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 Originating 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 authorized 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.

IN THE GRAND COURT OF THE CAYMAN ISLAND

CAUSE NO. OF 2020

BETWEEN: - **MARLENE YVONNE RICKETTS & JEAN LORRAINE SPENCE**

APPLICANTS

AND: **Dr. DESIREE ANN CHRISTE aka Dr. DESIREE ANN CHARLES aka DESIREE ANN CHRISTIE aka DESIREE ANN CHARLES**

RESPONDENT

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 the proceedings (*tick appropriate box*)

yes

no

Service of the Originating Summons is acknowledged accordingly

(Signed).....

[Attorney] for

Address for service: (please see overleaf)

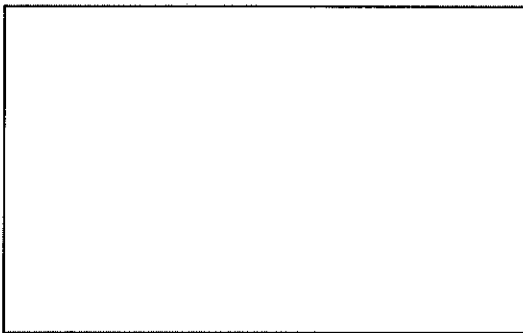
Please complete overleaf

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.

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



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

