

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 147 OF 2021

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

BETWEEN:           MITCHEL VANCE HURLSTON                           PLAINTIFF  
AND:                ALBURN ABERNATHY BROWN                           DEFENDANT

---

ORIGINATING SUMMONS

---

LET THE PARTIES attend before a Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the                    day of  
, 2021 at                    am/pm on the hearing of an application by the Plaintiff for the following orders that:-

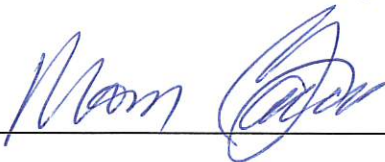
1. The Honourable Court do sanction and permit the sale by public auction or private treaty of all that property registered in the Cayman Islands Lands Register in the name of the Defendant and being particularly known as George Town South Registration Section Block 14D, Parcel 153 ( "the Property") by the Plaintiff as Chargee with a power of sale over the Property.
2. The Defendant and any other person occupying the Property do, within 28 days of this Order, vacate the Property and take all appropriate steps to give the Plaintiff vacant possession of the Property.

3. The Plaintiff do have leave to issue a Writ of Possession in relation to the Property at the expiry of 28 days referred to in paragraph 2 above.
4. Such further and/or other relief as this Honourable Court may deem appropriate .

**AND LET THE DEFENDANT**, Alburn Abernathy Brown, within 14 days of service upon him of this summons ,including the day of service, return the accompanying Acknowledgment of Service to the Courts Office, P.O.Box 495, GT, Grand Cayman, KY1-1106.

DATED: 6<sup>th</sup> July, 2021

FILED: 16 July , 2021.



---

Morris Garcia

Attorney-at-law for the Plaintiff

**NOTES:**

- (1) This summons may not be served later than 4 calendar months, beginning with the above date unless renewed by order of the Court.
- (2) If a Defendant does not attend personally or by his attorney 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:

Time estimate:

TO: The Clerk of Courts

AND TO: Alburn Abernathy Brown

This Originating Summons is filed by Morris Garcia. Artemis House, 67 Fort St, GT, Grand Cayman, attorney-at-law for the Plaintiff.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2021

BETWEEN MITCHEL VANCE BROWN PLAINTIFF  
AND ALBURN ABERNATHY BROWN DEFENDANT

ACKNOWLEDGMENT OF SERVICE OF ORIGINATING SUMMONS

If you intend to instruct an attorney to act for you give him/her 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.

---

Service of the Originating Summons is acknowledged accordingly

( Signed) .....

( Attorney) for

Address for service

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/she must give the post office box number and the physical address of his/her residence or , if he/she does not reside in the Cayman Islands, he/she must give an address in Grand Cayman where communications for him/her should be sent.

Indorsement by Plaintiff's attorney ( or by the Plaintiff if acting in person) of his/her name and address in the box below.

Morris Garcia P.O.Box 253, KY1-1501, Grand Cayman Ph: 345-939-2212
---

Indorsement by Defendant's attorney ( or by the Defendant if acting in person) of his name and address in the box below.

--

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

**IF YOU INTEND TO INSTRUCT AN ATTORNEY TO ACT FOR YOU GIVE HIM THIS FORM IMMEDIATELY.**

1. The accompanying form of Acknowledgement for Service should be completed by an attorney acting on behalf of the defendant or by the defendant if acting in person.
2. After completion it must be signed by the defendant and his attorney (if any) and must be **delivered or sent by post to the Law Courts, P.O.Box 495 GT, George Town, Grand Cayman.**

**Notes for Guidance**

3. Each defendant ( if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
4. If you wish to defend claims made in the originating summons, or intend to attend the proceedings and to participate in them as far as necessary ( although not necessarily in an adversarial manner) you should tick the "yes" box in paragraph 2 of the Acknowledgment of service.
5. Where the defendant is sued as 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. For purposes of calculating the period of 14days for acknowledging service , a writ served on the defendant personally is treated as having been served on the day it was delivered to him.
7. 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)".
8. 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.
9. Where the defendant is a Limited Company, the form must be completed by an attorney or someone authorized to act on behalf of the company, but the company can take no further step in the proceeding without an attorney acting on its behalf.
10. Where the defendant is a minor or a mental patient, the form must be completed by an attorney acting for a guardian ad litem.
11. A defendant acting in person may obtain help in completing the form at the Courts Office.