



**THE GRAND COURT OF THE CAYMAN ISLANDS
DIVISION**

CAUSE NO: G OF 2022

BETWEEN:

CAYMAN KAI PROPERTY OWNERS ASSOCIATION

PLAINTIFF

AND

SEA WATCH VILLAS LIMITED

DEFENDANT

ORIGINATING SUMMONS

TO: Sea Watch Villas Limited, P.O. Box 11461, Grand Cayman KY1 1009, Cayman Islands

LET THE DEFENDANT, within 14 days after service of this Summons on the Defendant, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

By this Summons, which is issued on the application of Cayman Kai Property Owners Association c/o PO Box 278NS, Grand Cayman KY1-1702, Cayman Islands, the Plaintiff claims against the Defendant:

1. A declaration that the Defendant's construction of the proposed dwelling (the "**Dwelling**") on Block 33B, Parcel 139 of Registration Section Cayman Kai is in breach of the restrictive covenants registered thereon.
2. Until further order of the Court, orders to restrain the Defendant from continued construction of the Dwelling as proposed.
3. Such further or other relief as this Honourable Court thinks fit.
4. Costs.

If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation to the Defendant as the Court may think just and expedient.

DATED the 6th day of April 2022

Walkers

WALKERS
Attorneys At Law for the Plaintiff

NOTE – This Summons 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 that date unless renewed by order of the Court.

IMPORTANT

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

This **ORIGINATING SUMMONS** was issued by Walkers, Attorneys at Law, 190 Elgin Avenue, George Town, Grand Cayman, Cayman Islands for the Plaintiff whose address for service is care of said Attorneys at Law.

**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 Courts Office, PO 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 Court's 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 Writ of 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 that Partner's name.
6. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN THAT PERSON'S OWN, the form must be completed by the Defendant

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with the addition in paragraph 1 of the description "trading as (.....)" after that Defendant's 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 Court's office.

IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION

CAUSE NO: G OF 2022

BETWEEN:

CAYMAN KAI PROPERTY OWNERS ASSOCIATION

PLAINTIFF

AND

SEA WATCH VILLAS LIMITED

DEFENDANT

ACKNOWLEDGEMENT OF SERVICE
OF ORIGINATING SUMMONS

If you intend to instruct an Attorney to act for you, give that Attorney 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

[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 or principal office.

Please complete overleaf

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

Walkers
Attorneys at Law
190 Elgin Avenue
George Town, Grand Cayman
KY1-9001

FAO : BG/BB/CF/bb/176936

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

[Empty box for Defendant's Attorney indorsement]