

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS

PLAINT NO. SC OF 2022

BETWEEN:

ANDREW DAVID WOODCOCK

Plaintiff

AND:

JOANNE WOODCOCK

Defendant




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PLAINT

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To the Defendant:  
 Joanne Woodcock  
 331 Olea  
 Athena Way  
 Camana Bay  
 Grand Cayman

**THIS PLAINT** 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 service of this Complaint on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands, the accompanying Acknowledgment of Service form stating therein whether you intend to contest this action. If you intend to defend the action, in whole or in part, you must set out **full particulars of your defence** in the space provided in the Acknowledgement of Service form.

**If you fail** to satisfy the claim or fail to return the Acknowledgement of Service form containing full particulars of your defence, the Plaintiff may apply for a **default Judgment** without any further notice to you.

Issued this      day of August 2022

**See overleaf for particulars of the Plaintiff's claim**

**PARTICULARS OF CLAIM**

1. The Plaintiff and the Defendant are husband and wife and they are currently engaged in divorce proceedings. The parties live together at 331 Olea, Athena Way, Camana Bay, but occupy separate bedrooms following their separation.
2. In or around early June 2021, the parties decided together that they would adopt a dog from the Cayman Islands Humane Society. The parties collected the dog from the Humane Society on 4<sup>th</sup> June 2021, and the Society carried out suitability checks on the parties for the anticipated adoption.
3. Pursuant to the agreement, the parties completed the adoption of the dog, who is called Bertie Woodcock, on 9<sup>th</sup> July 2021. The parties have no children together and refer to each other as being the dog's 'Father' and 'Mother'.
4. The Plaintiff and the Defendant were required to pay a donation to the Cayman Islands Humane society to adopt the dog. The Defendant completed the adoption forms on behalf of the parties and the Plaintiff arranged payment.
5. The Plaintiff made a payment of CI\$2,000 to the Humane Society to complete the transaction and the purchase of the dog. The Plaintiff thereby asserts that he is the rightful owner of the said dog. The Plaintiff nevertheless seeks a declaration as pleaded below.
6. At all times, the parties have shared the care of the dog and shared the costs for the dog, paid from the parties' joint bank account.
7. The Defendant issued divorce proceedings on 19<sup>th</sup> July 2022. Since the parties' separation, the Defendant has wrongfully claimed that she is the sole owner of the dog, and that the Plaintiff has no legal interest in the dog. Furthermore, the defendant will not allow the Plaintiff to spend any significant time with the dog.

AND the Plaintiff claims:

- (1) The parties are legal and beneficial owners of the dog in equal shares;
- (2) In the alternative, the Defendant is the legal owner of the dog, and the Plaintiff is the beneficial owner of the dog;
- (3) In the alternative, the Defendant is the legal owner of the dog and the parties are the beneficial owners of the dog in equal shares;
- (4) Equal rights and obligations with respect to the enjoyment and care of the dog, including permission being required from either party for the dog to leave the Cayman Islands, should either party intend to travel with the dog in the future;
- (5) Further or other relief;
- (6) Costs.

  
Plaintiff's Signature

Plaintiff's address for service  
McGrath Tonner  
5<sup>th</sup> Floor Genesis Building  
Genesis Close  
Grand Cayman  
PO Box 446 KY1 -1106

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**ACKNOWLEDGEMENT OF SERVICE**

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1. State Defendant's name and address –

2. State whether the Defendant intends to contest the action.

Yes

No

3. If you do not intend to contest the action, do you want time in which to pay the claim?

Yes

No

4. If you do intend to contest the action, in whole or in part, you must set out full particulars of your defence overleaf.

**Service of the Plaintiff is acknowledged accordingly.**

\_\_\_\_\_  
Defendant's Signature

DATED this      day of

**See Overleaf**

**PARTICULARS OF DEFENCE**

(Here set out in numbered paragraphs the grounds upon which the Defendant says that she is not liable to the Plaintiff, or is not liable for the full amount claimed)

**COUNTERCLAIM**

AND the Defendant claims:

\_\_\_\_\_  
Defendant's Signature

REMINDER - This form must be taken or sent to the Court Office, PO Box 495, Grand Cayman KY1-1106 Cayman Islands within 14 days of receipt otherwise a default Judgment may be entered against you.