



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 2022

**In the Matter of The Partition Law (1997 Revision)
And In the Matter of Order 31 of the Grand Court Rules**

BETWEEN:

- 1) THELDA JULYNN HUBBELL**
- 2) CHELSEA KRISTYN HUBBELL**

PLAINTIFFS

AND:

- 1) TIMOTHY CHRISTOPHER HUBBELL**
- 2) JOSHUA THOMAS HUBBELL**
- 3) JULIUS CHRISTOPHER HUBBELL**

DEFENDANTS

ORIGINATING SUMMONS

TO:

Timothy Christopher Hubbell, 38 Rowley Rise, Grand Cayman
Joshua Thomas Hubbell
Julius Christopher Hubbell

LET THE DEFENDANTS, within 14 days after service of this Summons on her, 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 the Plaintiffs c/o KSG Attorneys at Law, 4th Floor Harbour Centre, George Town, Grand Cayman, the Plaintiffs seek the following relief of the Court:

- 1. A declaration that the plaintiffs and defendants are each beneficially entitled to a 1/5th share in the properties known as;
 - 1.1 South Sound 15B 211
 - 1.2 West Bay North West 4C Parcel 111
 - 1.3 East End 76B 32
 - 1.4 East End 76B 41
 - 1.5 Little Cayman 83A 121
 - 1.6 North Side 53A 6

This Originating Summons was issued by KSG Attorneys-at-Law whose address for service is P.O. Box 2255, 4th Floor Harbour Centre, 42 North Church Street, George Town, Grand Cayman, KY1-1107.

2. An order for sale and distribution to the parties in accordance with their beneficial entitlement of the net proceeds of sale of the properties listed at paragraphs 1.3 – 1.6 above in accordance with directions given under GCR Order 31.
3. The first plaintiff and the first defendant shall sign all necessary paperwork in order to transfer a 1/5th share of title to the properties listed above to Joshua Thomas Hubbell.
4. Such other orders and relief as the court deems appropriate including as to costs.

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

Dated the 21 day of September 2022



KSG
Attorneys 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.

**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 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 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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DEFENDANTS

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 or otherwise participate in the proceedings (tick appropriate box)

yes no

Service of the Originating Summons is acknowledged accordingly

.....

[Attorney] for
[Defendant in person]

Address for service:
Notes on address for service

This Originating Summons was issued by KSG Attorneys-at-Law whose address for service is P.O. Box 2255, 4th Floor Harbour Centre, 42 North Church Street, George Town, Grand Cayman, KY1-1107.

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 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.

KSG Attorneys at Law
4th Floor Harbour Centre
42 North Church Street
P.O. Box 2255
KY1-1107

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

[Empty box for defendant's attorney indorsement]