



ND COURT OF THE CAYMAN ISLANDS  
GEORGE TOWN

CAUSE NO.

TER OF THE GRAND COURT RULES ORDER 15

SUCCESSION ACT (2021 REVISION)

BETWEEN: CLAUDETTE ANTONETTE WILLIAMS-MAXWELL

APPLICANT

ON BEHALF OF DEJOUNAE KHALEEL WINKLE-MAXWELL (CHILD)  
DOB: 8<sup>TH</sup> OCTOBER 2007

AND: IN THE ESTATE OF WINSTON MAXWELL (DECEASED) 1<sup>ST</sup> DEFENDANT

AND: WINELLA KIARA MAXWELL 2<sup>ND</sup> DEFENDANT

### ORIGINATING SUMMONS

LET DEFENDANTS of George Town, Grand Cayman attend before a Judge in Chambers at the Law Courts, George Town, Grand Cayman on        day of        2023, at        o'clock in fore/afternoon on the hearing of an application by the Applicant for the following relief:

1. A Declaration regarding whether a claim may be brought against the estate of Winston Maxwell (Deceased) who died intestate for the enforcement of the guarantee of Consent Order dated 27<sup>th</sup> March 2019 in Cause No. FAM 0239/2018 for the payments of child maintenance and arrears for the named minor child of the marriage Dejounae Khaleel Winkle-Maxwell (Child), Dob: 8<sup>th</sup> October 2007.
2. A Declaration that the named minor child of the marriage Dejounae Khaleel Winkle-Maxwell (Child), Dob: 8<sup>th</sup> October 2007, is entitled to inherit 50% balance of Winston Maxwell (Deceased) Coralisle pensions Service Ltd pension, which has not been disbursed.
3. And further or other relief as this Honourable Court deems just.
4. Costs.

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This **ORIGINATING SUMMONS** is filed by Kathleen Ryan, Attorney-at-Law, for the **Applicant** herein, whose address for service is Suite 203B, Level 2, Crighton Building, 260 Crewe Road, George Town, P.O. Box 308, Grand Cayman KY1-1501. Email: [ryan.lawchambers@outlook.com](mailto:ryan.lawchambers@outlook.com)

AND LET THE DEFENDANT, within 14 days after service of this Originating Summons on him, counting the day of service, return the accompanying Acknowledgement of Service to the Courts Office, P.O. Box 495 GT, George Town, Grand Cayman.

Dated this: 27<sup>th</sup> day of February 2023



KATHLEEN RYAN  
(Attorney-at-Law) for the Applicant

NOTE: (1) 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 the order of the court.

(2) If the Defendant does not attend personally or by this 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.

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**Acknowledgement of service of originating summons (0.10, 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 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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
HOLDEN AT GEORGE TOWN

CAUSE NO.

IN THE MATTER OF THE GRAND COURT RULES ORDER 15

BETWEEN: CLAUDETTE ANTONETTE WILLIAMS-MAXWELL APPLICANT

ON BEHALF OF DEJOUNAE KHALEEL WINKLE-MAXWELL (CHILD)  
DOB: 8<sup>TH</sup> OCTOBER 2007

AND: IN THE ESTATE OF WINSTON MAXWELL (DECEASED) 1<sup>ST</sup> DEFENDANT

AND: WINELLA KIARA MAXWELL 2<sup>ND</sup> DEFENDANT

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.

(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 principal office.

Please complete overleaf.

This ORIGINATING SUMMONS is filed by Kathleen Ryan, Attorney-at-Law, for the Applicant herein, whose address for service is Suite 203B, Level 2, Crighton Building, 260 Crewe Road, George Town, P.O. Box 308, Grand Cayman KY1-1501. Email: [ryan.lawchambers@outlook.com](mailto:ryan.lawchambers@outlook.com)

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

Kathleen Ryan  
Attorney-at-Law  
Suite 203B, Level 2,  
Crighton Building,  
256 Crewe Road, Grand Cayman  
P.O. Box 308, KY1-1501,  
Cayman Islands

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

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