



IN THE GRAND COURT OF THE CAYMAN ISLANDS  
HOLDEN IN GEORGETOWN, GRAND CAYMAN

CAUSE NO. OF 2023

BETWEEN: CHARLIE RANKIN

Plaintiff

AND: JULIET MCKENZIE

Defendant

**WRIT OF SUMMONS**

TO: JULIET MCKENZIE

THIS WRIT OF SUMMONS 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 the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495G, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this      day of                      2023

NOTE - This Writ 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 the date of issue unless renewed by order of the Court.

**IMPORTANT**

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

**THIS Statement** was **FILED** by **A. STEVE MCFIELD & ASSOCIATES** of P.O. Box 680 GT, Unit A10 Amerigo House, Elizabethan Square, Grand Cayman, KY1-1107, Cayman Islands, Attorneys-at-Law, whose address for service is that of his said Attorney-at-Law.

## STATEMENT OF CLAIM

1. Following the celebration of marriage, the Plaintiff and Defendant built and resided at Old Man Bay, Northside registered in the Land Registry at Block 57E Parcel 109 until it was sold in March 2023.
2. Before the sale of the property, the Defendant's son Keswick Robert McKenzie built an addition on to the existing matrimonial property; where he resided before purchasing the property Block 57E parcel 109 in March 2023
3. A dispute arose after the jointly owned property Block 57E Parcel 109 was sold to the Defendant's son Keswick Robert McKenzie in March 2023.
4. The sale of the property Block 57E Parcel 109 was handled by the Defendant and the details of the sale was never disclosed to the Plaintiff.
5. The Plaintiff requested on several occasions that the Defendant show him the paperwork pertaining to the said sale but the Defendant refused.
6. After the sale, the outstanding amount on the mortgage of CI\$35,000.00 and Government Loan of CI\$20,000.00 was to be deducted from the proceeds.
7. On or about May 2023 a cheque for CI\$40,000.00 was delivered to the Plaintiff which purported to represent his share of proceeds from the sale.
8. The Plaintiff refused the cheque of CI\$40,000.00 as he felt it did not represent his share of the proceeds.
9. The Plaintiff contacted the Respondent about his share of the proceeds and was told by the Respondent that her son Keswick Robert McKenzie needed to be compensated for the addition on the property so the proceeds were divided in three.
10. The Plaintiff has rejected the Defendant's explanation for the amount of CI\$40,000.00 purported to represent his share of the sale; and the Plaintiff

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being aggrieved thereof maintains that he is entitled to one half (1/2) of the proceeds of the sale after the deduction of CI\$35,000.00 to payoff the mortgage and CI\$20,000.00 to payoff government loan.

11. After consulting with my Attorney, I was advised to accept the cheque for CIS40,000.00 as being a partial payment of my share of the proceeds from the sale of the property. I was advised to claim the difference of CI\$45,000.00.

And the Plaintiff Claims:

1. The sum of \$45,000.00
2. Disclosure of details as it pertains to the sale of Block 57E Parcel 109
3. Costs
4. Such further and or other relief as the Court deem fit.

Dated this 11<sup>th</sup> day of August 2023



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**A. Steve McField & Associates**  
**Attorney -at-Law for the Plaintiff**

To: The Clerk of The Court

And to: The Defendant  
Juliet McKenzie

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IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 2023

BETWEEN: CHARLIE RANKIN

Plaintiff

AND: JULIET MCKENZIE

Second Defendant

ACKNOWLEDGMENT OF SERVICE  
OF WRIT OF 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.

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

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2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes  no

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3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box)

yes  no

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Service of the Writ is acknowledged accordingly.

(Signed).....  
[Attorney] for

*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 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.

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

A Steve McField & Associates  
Unit A10 Amerigo House  
Elizabethan Square  
P. O. Box 68 George Town  
Grand Cayman 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.

## **DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS**

1. 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.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

**See over for notes for guidance**

**Please complete overleaf**

## 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. 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.
3. 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)".
4. 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.
5. 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.
6. 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.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.