



ND COURT OF THE CAYMAN ISLANDS

CAUSE NO. G OF 2024

IN THE MATTER OF THE VEHICLE INSURANCE (THIRD PARTY RISKS) ACT (2012 REVISION)

BETWEEN:

MICAH JENSEN

PLAINTIFF

AND:

THE INSURANCE COMPANY OF THE WEST INDIES (CAYMAN) LIMITED

DEFENDANT

ORIGINATING SUMMONS

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

By this Summons, which is issued on the application of the Plaintiff, Micah Jensen, c/o Nelsons Attorneys-at-Law seeks the following relief or determination from the Court:

1. A declaration that the Defendant shall pay to the Plaintiff, being entitled to the benefit of a Consent Judgment dated 21 September 2022 in cause No. G 110 of 2018 - Micah Jensen v Willie Cruz-Hurlston, the sum of \$220,000, being payable under the said judgment, plus interest thereon, pursuant to section 15 (1) of the Vehicle Insurance (Third Party Risks) Act (2012 Revision) (“the **Act**”).
2. The Defendant shall pay the Plaintiff’s costs in these proceedings to be taxed if not agreed.

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 this 18th day of June 2024



NELSONS

Attorneys-at-Law for the Plaintiff

Estimated length of hearing: 2 hours

To: The Clerk of the Court

And To: Ogier, Attorneys-at-Law for the Defendant

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 the date of issue unless renewed by order of the Court.

IMPORTANT

Directions for the Acknowledgement of service are given with the accompanying form.

This **ORIGINATING SUMMONS** is filed by Nelsons, Attorneys-at-Law for the Plaintiff whose address for service is The Grand Pavilion, 802 West Bay Road, KY1-1201, Grand Cayman, Cayman Islands.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. G OF 2024

IN THE MATTER OF THE VEHICLE INSURANCE (THIRD PARTY RISKS) ACT (2012 REVISION)

BETWEEN:

MICAH JENSEN

PLAINTIFF

AND:

THE INSURANCE COMPANY OF THE WEST INDIES (CAYMAN) LIMITED

DEFENDANT

ACKNOWLEDGEMENT 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).....

Defendant's signature/ Attorney for Defendant's signature

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.

Indorsement by Plaintiff's Attorney in the box below.

Nelsons Attorneys-at-Law
The Grand Pavilion
802 West Bay Road
P.O. Box 30069
Grand Cayman KY1-1201
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.

[Empty box for defendant's attorney indorsement]

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.