



GRAND COURT AT GEORGE TOWN

CAUSE NO. GC 0218 OF 2025

BETWEEN:

Joseph Bonsu-Akoto (Deceased)
Kim Avalon Samuels as personal representative of deceased

Plaintiff

AND:

Dr Martin Diaz Martinez

1st Defendant

Odalis Virgen Diaz

2nd Defendant

AMMENDED WRIT OF SUMMONS

To the 1st and 2nd Defendants

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 service of this Writ of Summons 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 Acknowledgement 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 Judgement** without any further notice to you.

Issued this 31st day of October 2025

See overleaf for particulars of the Plaintiff's claim

This Writ of Summons was filed for Joseph Bonsu-Akoto (Deceased) by Kim Avalon Samuels as personal representative of the deceased whose address for service is c/o 190 North Church Street, George Town, Grand Cayman; PO Box 11155 KY1-1008 email lx4sam@yahoo.com telephone 321 2274

PARTICULARS OF CLAIM

1. The Plaintiff owns title absolute Block 4C Parcel 608H17 known as 17 Suelles Estates, Aurora Drive, West Bay, Grand Cayman, Cayman Islands (the "Property")
2. The Defendant has been trespassing in the Property since 11th November 2019.
3. The Plaintiff has made several attempts to remove the Defendant which were not complied with by the Defendant.
4. The Grant of Probate was issued by the Grand Court of the Cayman Islands on 4th October 2024 confirming Kim Avalon Samuels as the personal representative of the deceased (copy of Grant of Probate attached at Exhibit 1). The Plaintiff now wishes to obtain possession to enable completion of a sale to a third party who holds a valid offer to purchase with the Plaintiff.
5. The Defendant has paid no rent for living in the property.
6. The Plaintiff asks for possession of the Property at the earliest opportunity so that the sale may be concluded.
7. A 14-day notice was placed on the premises on 31st July 2025 asking the Defendant to vacate. No communication or attempt to vacate has been made by the Defendant.
8. The Plaintiff claims rent and penalties for the time of trespassing in the property in the following sums:

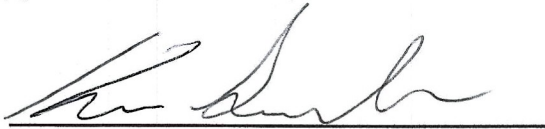
Rent 11th November 2019 to 15th August 2025 at a rent of KY\$2,000 per calendar month

Interest from 11th November until this matter is settled at the rate of 5% per annum

Costs for service and filing of documents

And the Plaintiff claims:

- (1) The Sum of CI\$138,367.12 for non-payment of rent
- (2) Interest to be charged and continue until this matter is settled at the rate of 5% per annum.
- (3) Fixed costs of CI\$2,500.00.



Plaintiff's Signature

Plaintiff's address for service

190 North Church Street
George Town
PO Box 11155
Grand Cayman
KY1-1008

IN THE GRAND COURT AT GEORGE TOWN

CAUSE NO. GC 0218 OF 2025

BETWEEN:

Kim Avalon Samuels as personal representative of
Joseph Bonsu-Akoto (Deceased)

Plaintiff

AND:

Dr Martin Diaz Martinez

1st Defendant

Odalis Virgen Diaz

2nd Defendant

**ACKNOWLEDGEMENT OF SERVICE
OF WRIT OF SUMMONS**

If you intend to instruct an Attorney to act for you, give that Attorney 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 the Defendant may have to pay the costs of applying to set it aside.

- 1 State Defendant's name and address –
- 2 State whether the Defendant intends to contest the proceedings (tick appropriate box)

☐

Yes

☐

No

- 3 If the claim against the Defendant is for a debt or liquidated demand, AND the Defendant 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

Service of the Writ is acknowledged accordingly.

(Signed)

1st Defendant's Signature OR Attorney for

DATED this

day of

2025

Please Complete Overleaf

This Writ of Summons was filed for Joseph Bonsu-Akoto (Deceased) by Kim Avalon Samuels as personal representative of the deceased whose address for service is c/o 190 North Church Street, George Town, Grand Cayman; PO Box 11155 KY1-1008 email lx4sam@yahoo.com telephone 321 2274

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, the Defendant must give the Defendant's post office box number and the physical address of the Defendant's residence or, if the Defendant does not reside in the Cayman Islands, the Defendant must give an address in Grand Cayman where communications for the Defendant 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 that Plaintiff's name, address and reference, if any, in the box below.

Joseph Bonsu-Akoto (Deceased)
Kim Avalon Samuels as personal representative of the deceased
c/o 190 North Church Street, George Town, Grand Cayman
PO Box 11155 KY1-1008
lx4sam@yahoo.com
321 2274

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

IN THE GRAND COURT AT GEORGE TOWN

CAUSE NO. GC 0218 OF 2025

BETWEEN:

Kim Avalon Samuels as personal representative of
Joseph Bonsu-Akoto (Deceased)

Plaintiff

AND:

Dr Martin Diaz Martinez

1st Defendant

Odalis VirgenDiaz

2nd Defendant

**ACKNOWLEDGEMENT OF SERVICE
Of WRIT OF SUMMONS**

If you intend to instruct an Attorney to act for you, give that Attorney 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 the Defendant may have to pay the costs of applying to set it aside.

1. State Defendant's name and address –
2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

☐

Yes

☐

No

3. If the claim against the Defendant is for a debt or liquidated demand, AND the Defendant 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

Service of the Writ is acknowledged accordingly.

(Signed)

2nd Defendant's Signature OR Attorney for

DATED this

day of

2025

Please Complete Overleaf

This Writ of Summons was filed for Joseph Bonsu-Akoto (Deceased) by Kim Avalon Samuels as personal representative of the deceased whose address for service is c/o 190 North Church Street, George Town, Grand Cayman; PO Box 11155 KY1-1008 email lx4sam@yahoo.com telephone 321 2274

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, the Defendant must give the Defendant's post office box number and the physical address of the Defendant's residence or, if the Defendant does not reside in the Cayman Islands, the Defendant must give an address in Grand Cayman where communications for the Defendant 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 that Plaintiff's name, address and reference, if any, in the box below.

Joseph Bonsu-Akoto (Deceased)
Kim Avalon Samuels as personal representative of the deceased
c/o 190 North Church Street, George Town, Grand Cayman
PO Box 11155 KY1-1008
lx4sam@yahoo.com
321 2274

Indorsement by 2nd Defendant's Attorney (or by Defendant if suing in person) of that defendant's name, address and reference, if any, in the box below.

Form No. 8**Acknowledgment of Service of Writ of Summons
(O.10, r.1; O.12, r.3; O.15, rr.3, 7 & 13A; O.16, r.3; O.75, r3)****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 the Defendant's Acknowledgment of Service that the Defendant 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 that Defendant's defence within the appropriate time, the Plaintiff may enter judgment against the Defendant 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 the Defendant intends to apply for a stay, execution will be stayed for 14 days after that Defendant's Acknowledgment, but the Defendant must, within that time, issue a Summons for a stay of execution, supported by an affidavit of the Defendant's 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

This Writ of Summons was filed for Joseph Bonsu-Akoto (Deceased) by Kim Avalon Samuels as personal representative of the deceased whose address for service is c/o 190 North Church Street, George Town, Grand Cayman; PO Box 11155 KY1-1008 email lx4sam@yahoo.com telephone 321 2274

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 the Defendant.
3. Where the Defendant is sued in a name different from the Defendant's own, the form must be completed by the Defendant 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 that Partner's name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN THAT PERSON'S OWN, the form must be completed by the Defendant with the addition in paragraph 1 of the description "trading as (.....)" after that Defendant's 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 a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.