



**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE NO: OF 2025

BETWEEN:

WESTTEL LIMITED (T/A LOGIC)

Plaintiff

AND:

THE UTILITY REGULATION AND COMPETITION OFFICE

First Defendant

ATTORNEY-GENERAL OF THE CAYMAN ISLANDS

As the representative of the CAYMAN ISLANDS GOVERNMENT

Second Defendant

WRIT OF SUMMONS

TO: The Utility Regulation and Competition Office,
 3rd Floor, Monaco Towers II
 11 Dr. Roy's Drive, George Town
 Grand Cayman
 Cayman Islands

AND TO: The Attorney-General of the Cayman Islands
 Portfolio of Legal Affairs
 133 Elgin Avenue, George Town
 Government Administration Building, Box 136
 Grand Cayman, KY1-9000
 Cayman Islands

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 20th day of November 2025.

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.

See overleaf for particulars of the Plaintiff's claim

GENERAL INDORSEMENT

The Plaintiff is WestTel Limited (t/a Logic), a TV and internet service provider in the Cayman Islands. The First Defendant is responsible for, *inter alia*, issuing licences in various sectors including with respect to Information and Communications Technology (“**ICT**”) in the Cayman Islands. The Second Defendant is the Attorney-General of the Cayman Islands in his capacity as the representative of the Cayman Islands Government.

The Plaintiff holds licences in the ICT sector with respect to ICT Networks and ICT Services (the “**Licences**”). It is a term of the Licences that the Plaintiff pays a licence fee comprising:

- a. Six percent of the quarterly revenue of the Plaintiff (the “**Royalty Fees**”); and
- b. A fee calculated based upon the costs of the Second Defendant (the “**Regulatory Fees**”).

The Plaintiff has paid significant Royalty Fees and Regulatory Fees to the First Defendant. The Royalty Fees were remitted by the First Defendant to the Cayman Islands Government. The Royalty Fees were a form of coercive revenue or taxation and as such could only lawfully be collected by statutory authority.

The Grand Court in the recent decision *The King v The Utility Regulation and Competition Office*, Kawaley J, 28 August 2025, held that there is no legislative authority for the Defendants to demand, collect or receive the Regulatory Fees or the Royalty Fees.

With respect to the Regulatory Fees, the ICT (Validation) Act 2024 (the “**Act**”) by its terms validates Regulatory Fees up until the commencement of the Act. There is no legislation validating Regulatory Fees subsequent to the commencement of the Act. There is no legislation validating the Royalty Fees.

In light of the foregoing, the Plaintiff issues these proceedings urgently to preserve its claims and to obtain declaratory relief as to its obligations and the Defendants' powers. The Plaintiff's claims are for restitution for Royalty Fees it has paid to the First and/or Second Defendant when there was no statutory authority to demand, collect or receive such fees. The Plaintiff further claims restitution for Regulatory Fees paid to the First Defendant when there was no authority to demand or collect such fees subsequent to the commencement of the Act. The foregoing claims for restitution include claims based upon money had and received/unjust enrichment, including on the *Woolwich* basis and/or mistake.

The Plaintiff further seeks declaratory relief that the Defendants had and have no lawful authority to demand, collect or receive the Royalty Fees; any demand for, or attempt to recover, Royalty Fees (including alleged arrears) is unlawful and of no effect; following the commencement of the ICT (Validation) Act 2024, there is and was no lawful authority to demand, collect or receive Regulatory Fees unless and until duly prescribed by law; and any demand for, or attempt to recover, Regulatory Fees for any period after the commencement of the Act in the absence of such lawful prescription is unlawful and of no effect. The Plaintiff further seeks interest and costs.

Dated the 20th day of November 2025

Broadhurst

Broadhurst LLC

Attorneys-at-Law for the Plaintiff

This Writ of Summons is filed by Broadhurst LLC, Attorneys-at-Law for the Plaintiff, whose address for service is Level 4, Monaco Towers, 54 Edward Street, George Town, Grand Cayman KY1-1104, Cayman Islands.

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As the representative of the CAYMAN ISLANDS GOVERNMENT

Second Defendant

**ACKNOWLEDGEMENT 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.
 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

[Defendant in Person]

Address for service:

Please see 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 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.

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

BROADHURST LLC 4th Floor, Monaco Towers 54 Edwards Street George Town Cayman Islands

Endorsement by Defendants' Attorney (or by the Defendant if suing in person) of his name, address and reference, if any, in the box below.

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**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.
2. After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.
3. 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).
4. 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.
5. 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.
6. If the Defendant fails to serve his Defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.
7. 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 installments or otherwise.

See over for notes for guidance.

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, he must complete the form 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 authorized 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, an Attorney acting for a guardian ad litem must complete the form.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.