

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 127 OF 2017

IN THE MATTER OF *Section 14 of the Grand Court Law (2015 Revision)*
AND Order 80, rule 17 of the *Grand Court Rules 1995, (Revised Edition)*
AND Section 18 and Section 19 of the *Mental Health Law 2013*
AND ASTLEY AUGUSTUS EWEN SR. an adult with diminished mental capabilities

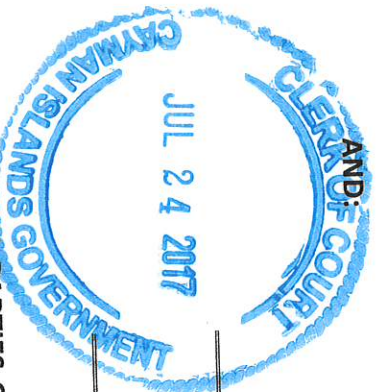
BETWEEN:

ASTLEY EWEN, JR.

APPLICANT

VALDERINE JANNETT EWEN-HUNTER

RESPONDENT



ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before a Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the day of 2017, at am/pm, on the hearing of an application by the Applicant for the following orders:

1. Guardianship of Astley Augustus Ewen Sr. ("the Patient") be granted to his son, Astley Ewen Jr. ("the proposed Guardian");
2. That the proposed Guardian be granted the powers to;
 - (a) provide the required consent for an on behalf of the Patient for medical treatment or procedure he may require, and all follow up medical procedures which may become necessary in the future;
 - (b) sign any documentation whether medical or legal necessary for the Patient's treatment or any other need that may arise;

- (c) sign and/or execute any documentation or instructions in relation to the Patient's financial affairs, whether in the Cayman Islands or the United States;
- (d) hire nursing or home care assistance to assist the Guardian with the Patient's care as and when required;
- (e) pay any salaries, expenses, hospital and medical charges relating to services or treatment provided to the Patient;
- (f) carry out and execute any and all other necessary or required action, instructions or decisions which the Guardian considers necessary for the Patient's wellbeing and care.

3. That the proposed Guardian be granted the powers to;

- (i) manage, sell, acquire, charge or deal with property;
- (ii) enter into any settlement;
- (iii) provide for the management of a business;
- (iv) dissolve a partnership;
- (v) complete a contract;
- (vi) conduct legal proceedings.

4. Leave for the proposed Guardian to take the Patient out of the jurisdiction.

5. Leave for the Patient to travel to Florida, United States of America to be cared for by the proposed Guardian.

APPOINTMENT OF RECEIVER

6. That the Applicant be appointed Receiver for the Patient pursuant to GCR O.80, r.17.

7. Leave of the Court to dispense with the need for the Originating Summons for appointment as Receiver pursuant to GCR O.80, r.17 (3).
8. That the proposed Receiver be granted an order to apply for probate of a Will on behalf of the Patient, including the settlement of any gift or property willed to the Patient.
9. Such further directions as this Honourable Court may deem appropriate.

Dated this 24th day of July 2017



GOLDFIELD CAYMAN ATTORNEYS LTD.
Attorneys-at-Law for the Applicant

TO: The Clerk of the Court

AND LET THE RESPONDENT within fourteen (14) days after service of this Summons on her, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office.

NOTES:-

- (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 the above date unless renewed by order of the Court.
- (2) If a defendant does not attend personally or by his 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.

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 some guardian ad litem.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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

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

Goldfield Cayman Attorneys Ltd.
Attorneys at Law
Unit 3 Seaside Building
147 North Church Street, George Town
P.O. Box 10734
Grand Cayman KY1-1007
Cayman Islands. Tel: 345 943 5700.

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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