



**ND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

CAUSE NO: ____ OF 2026

BETWEEN:

DARRELL PLAYER

PLAINTIFF

AND

(1) MARCO JOSE MIRANDA

(2) JACQUELINE ANGELA MIRANDA

DEFENDANTS

WRIT OF SUMMONS

TO:

Marco Jose Miranda of Block 15E Parcel 240, P.O. Box 1770, Grand Cayman KY1-1109, Cayman Islands.

Jacqueline Angela Miranda of Block 15E Parcel 240, P.O. Box 1770, Grand Cayman KY1-1109, 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 pages.

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, PO Box 495G, George Town, Grand Cayman, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement 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 17th day of July 2026.

This Writ of Summons and Statement of Claim was issued by KSG, attorneys for the Plaintiff, whose address for service is 4th Floor One Capital Place, 136 Shedden Road, George Town, Grand Cayman KY1-1107, Cayman Islands.

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 Acknowledgement of Service are given with the accompanying form.

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
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BETWEEN:

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AND

(1) MARCO JOSE MIRANDA

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DEFENDANTS

STATEMENT OF CLAIM

1. The Plaintiff is the registered proprietor of land known as South Sound Block 15E Parcel 239 in Grand Cayman, the Cayman Islands ("Parcel 239").
2. The Defendants are the registered proprietors of adjoining land known as South Sound Block 15E Parcel 240 ("Parcel 240").
3. At all material times, and by registration dated 24 September 2001 under Instrument No. 7233/01, Parcel 239 has had the benefit of a registered 30-foot vehicular Right of Way over Parcel 240, as indicated on the Land Register and Registry Map (the "Right of Way").
4. At all material times, Parcel 240 has been burdened by the Right of Way in favour of Parcel 239.
5. The Right of Way is required for the reasonable access, use, enjoyment, maintenance and development of Parcel 239, including vehicular access to and from Parcel 239.

This Writ of Summons and Statement of Claim was issued by KSG, attorneys for the Plaintiff, whose address for service is 4th Floor One Capital Place, 136 Shedden Road, George Town, Grand Cayman KY1-1107, Cayman Islands.

6. On a date presently unknown to the Plaintiff, but by no later than 5 October 2025 and believed to have been on or around 30 September 2025, the Defendants, or one or both of them, constructed, caused to be constructed, retained and/or permitted the retention of a fence on Parcel 240 within the area of the Right of Way (the "Fence").
7. The Fence wrongfully obstructs and interferes with the Plaintiff's use and enjoyment of the Right of Way.
8. In particular, the Fence narrows the usable width of the Right of Way to approximately 16 feet along a stretch of approximately 160 feet.
9. As a result of the Fence, vehicles using the Right of Way cannot reasonably pass one another along the affected section without waiting, reversing or otherwise being delayed or obstructed.
10. The Fence also interferes with the Plaintiff's ability to clear, fill, maintain, access and develop Parcel 239, including by restricting vehicular, construction and service access.
11. By letter dated 5 May 2026, the Plaintiff, through his attorneys, requested that the Defendants remove the offending Fence and restore an unobstructed width of at least 22 feet within the Right of Way within 28 days.
12. The Defendants have failed and/or refused to remove or relocate the Fence and have continued to maintain the Fence in its present position.
13. The Defendants' construction, retention and/or maintenance of the Fence constitutes a continuing wrongful obstruction of, and interference with, the Plaintiff's registered easement.
14. For the avoidance of doubt, and without prejudice to the Plaintiff's legal rights arising from the registered easement, the Plaintiff does not, in these proceedings, seek an order restoring the vehicular Right of Way to the registered 30 feet but seeks only an order restoring the Right of Way to 22 feet as existed in fact until the erection of the Fence, which the Plaintiff first observed on or around 5 October 2025 and believes was erected on or around 30 September 2025.

This Writ of Summons and Statement of Claim was issued by KSG, attorneys for the Plaintiff, whose address for service is 4th Floor One Capital Place, 136 Shedden Road, George Town, Grand Cayman KY1-1107, Cayman Islands.

15. The Plaintiff seeks mandatory relief directed to the Fence and seeks, at minimum, restoration of an unobstructed 22-foot vehicular access over the Right of Way in the area affected by the Fence.
16. By reason of the matters set out above, the Plaintiff has suffered loss and damage.

PARTICULARS OF LOSS AND DAMAGE

17. The Plaintiff has been deprived of the full and proper use and enjoyment of the Right of Way and has suffered obstruction, inconvenience and interference in accessing Parcel 239.
18. The Plaintiff has suffered and/or is likely to suffer loss by reason of the reduced utility and accessibility of Parcel 239.
19. Accordingly, the Plaintiff claims nominal damages for the wrongful interference with his registered easement and/or Right of Way.

AND the Plaintiff claims:

20. A mandatory injunction requiring the Defendants, whether by themselves, their servants, agents, contractors or otherwise, forthwith to remove, relocate and/or alter the Fence so that it no longer obstructs or interferes with the Right of Way and so that there is, at a minimum, an unobstructed vehicular Right of Way of not less than approximately 22 feet in width, being the width enjoyed immediately prior to erection of the Fence.
21. A prohibitory injunction restraining the Defendants, whether by themselves, their servants, agents, contractors or otherwise, from erecting, maintaining, placing or permitting any fence, structure, obstruction, vehicle, object or other impediment within the Right of Way so as to obstruct, narrow or interfere with the Plaintiff's use and enjoyment of the Right of Way.

22. Damages for the Defendants' wrongful interference with the Plaintiff's registered easement and/or Right of Way, including loss of use and enjoyment of the Right of Way, obstruction, inconvenience, interference with access to Parcel 239, and any loss arising from the reduced utility and accessibility of Parcel 239 or alternatively, nominal damages.
23. Interest pursuant to section 34 of the Judicature Act or on such other basis as the Court considers just.
24. Costs.
25. Such further or other relief as the Court considers just.

DATED this 17th day of July 2026



KSG
Attorneys for the Plaintiff

**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 Acknowledgement 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 3), 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 Acknowledgement 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 a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION****CAUSE NO: ____ OF 2026****BETWEEN:****DARRELL PLAYER****PLAINTIFF****AND****(1) MARCO JOSE MIRANDA****(2) JACQUELINE ANGELA MIRANDA****DEFENDANTS****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.

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 or otherwise participate in the proceedings (tick appropriate box)

☐ yes ☐ no

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

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.

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

KSG 4th Floor Once Capital Place George Town 136 Shedden Road Grand Cayman KY1-1107 Cayman Islands

Endorsement 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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