



Cayman Islands
Grand Court Rules
1995

(Revised Edition)

Volume 2

APPENDIX I

PRESCRIBED FORMS (O.1, r.10)

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No. 1

Writ of Summons (0.6, r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

WRIT OF SUMMONS

TO: [name and address of Defendant]

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 day of 20 .

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.

[Either set out a statement of claim in full]

STATEMENT OF CLAIM

[Or a concise statement of the nature of the claim]

AND THE PLAINTIFF claims:

1. [The amount and nature of the claim];
2. [Details of any claim for interest];
3. [A claim for costs, if any].

[Or where the Plaintiff's claim is for a debt or liquidated demand only:

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of [\$] (including interest and costs) further proceedings will be stayed. The money must be paid to the Plaintiff or his Attorney.]

[Signature of Plaintiff or his Attorney]

THIS WRIT was issued by [name of Plaintiff or his Attorney] whose address for service is [state address within the jurisdiction].

Originating Summons – general form (0.7, r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

In the Matter of [state statute, rule or matter in respect of which the originating summons is issued]

BETWEEN: PLAINTIFF

AND: DEFENDANT

ORIGINATING SUMMONS

TO: [state name and address of Defendant(s)]

LET THE DEFENDANT, within [14 days] after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

By this Summons, which is issued on the application of [state the name and address of the Plaintiff(s)], the Plaintiff(s) claim(s) against the Defendant(s) [state the relief claimed] [or seeks the determination of the Court on the following questions, namely], [give a precise and concise statement of the questions for determination].

If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

Dated the day of 20__ .

[Signature of Plaintiff or his Attorney]

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 that date unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

This Originating Summons was issued by *[name of Plaintiff or his Attorney]* whose address for service is *[state address within the jurisdiction]*.

Originating Summons – expedited form (0.7, r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

In the Matter of [state statute, rule or matter in respect of which the originating summons is issued]

BETWEEN: PLAINTIFF

AND: DEFENDANT

ORIGINATING SUMMONS

LET THE DEFENDANT of [state address] attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the day of 20__ , at o'clock on the hearing of an application by the Plaintiff of [state address] that [state details].

AND LET THE DEFENDANT within [14 days] after service of this summons on him counting the day of service, return the accompanying Acknowledgment of Service to the Courts office.

Dated the day of 20__ .

[Signature of Plaintiff or his Attorney]

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.

This Originating Summons was issued by [name of Plaintiff or his Attorney] whose address for service is [state address within the jurisdiction].

No. 4

Ex Parte Originating Summons (0.7, r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

In the Matter of [state statute or rule pursuant to which application is made]

And in the Matter of [state subject matter of application]

EX PARTE ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the day of 20 , at o'clock, on the hearing of an application by the Plaintiff that [state details].

Dated the day of 20 .

[Signature of Plaintiff or his Attorney]

TIME ESTIMATE: The estimated length of the hearing of this summons is [state time].

This Summons was issued by *[name of Plaintiff or his Attorney]* whose address for service is *[state address within the jurisdiction]*.

Notice of appointment to hear Originating Summons (0.7, r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

[TITLE OF ACTION]

NOTICE OF APPOINTMENT TO HEAR ORIGINATING SUMMONS

TAKE NOTICE that the originating summons issued herein on the ___ day of ___, 20___, will be heard [in open Court/by the Judge in Chambers, as the case may be] at Law Courts, George Town, Grand Cayman, on the ___ day of ___ 20___ at ___ o'clock.

AND TAKE NOTICE that at the hearing [name of plaintiff] will seek [the notice must state the substance of the orders sought by setting out the proposed wording for these orders or by referring to the relevant paragraphs of the originating summons or to a draft order attached to the notice. Failure to comply with this note renders the notice defective]:-

- 1.
- 2.

You may attend in person or by your attorney. If you fail to attend or to be represented, the Court may proceed in your absence.

Dated the ___ day of ___ 20___ .

[Signature of Plaintiff or his Attorney]

TO: The Clerk of the Court

AND TO: [name and address of Defendant or Defendant's attorney]

TIME ESTIMATE: The estimated length of the hearing of this summons is [state time].

This Notice was filed by [name of Plaintiff or his Attorney] whose address for service is [state address within the jurisdiction].

Notice of Originating Motion (0.8, r3)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

In the Matter of [state statute or rule pursuant to which application or appeal is made]

And in the Matter of [state subject matter of motion]

NOTICE OF ORIGINATING MOTION

TAKE NOTICE that the Court [or, if appropriate, a named Judge of the Court] at the Law Courts, George Town, Grand Cayman will be moved on [date] at [time] or as soon thereafter as counsel can be heard, by counsel on behalf of [state full name of applicant] for an order that [state details] [or for the following relief, namely [state relief]].

And for an order that the costs of and incidental to this [application] [appeal] may be paid by [state name]

AND FURTHER TAKE NOTICE that the grounds of this [application] [appeal] are: [state grounds].

Dated the day of 20__ .

[Signature of Plaintiff or his Attorney]

TO: The Clerk of the Court

AND TO: [name and address of Defendant(s) or attorneys]

This Notice of Originating Motion was issued by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*].

Petition (0.9, r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

In the Matter of [state statute or rule pursuant to which petition is presented]

And in the Matter of [state subject matter of petition]

PETITION

To the Grand Court

The humble petition of [state name and address of petitioner] shows that:-

[Set out all relevant facts and allegations in consecutively numbered paragraphs]

Your Petitioner(s) therefore humbly pray(s) that:-

1. [Set out precise orders sought in numbered paragraphs].

[2.] Such orders as the Court thinks fit.

[3.] [Set out what order for costs, if any, is sought].

AND your Petitioner will ever pray etc.

Dated the day of 20__ .

[*Signature of Petitioner's Attorney*]

NOTE: This petition is intended to be served on [state name(s) and address(es)]

OR This petition is not intended to be served.

This Petition was presented by [*name of Petitioner or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Petitioner*].

Acknowledgement of service of writ of summons (0.12, r.3)

**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 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).

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 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 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 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.

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

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 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.

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

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

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.

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

ACKNOWLEDGMENT 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).....

[Attorney] for

[Defendant in person]

Address for service:

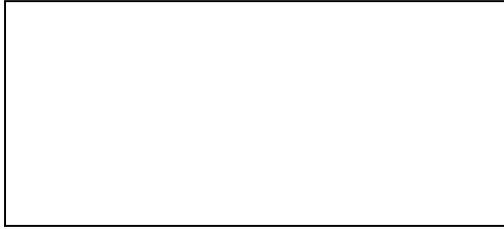
Notes on address for service

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.

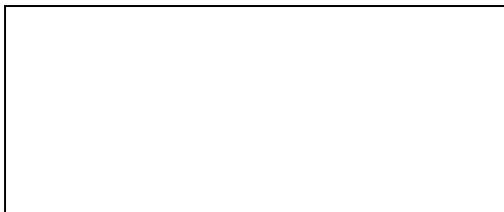
Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited company, "residence" means its registered principal office.

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.

A large, empty rectangular box with a thin black border, intended for the plaintiff's attorney to provide their name, address, and reference.

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

A large, empty rectangular box with a thin black border, intended for the defendant's attorney to provide their name, address, and reference.

Notice to be indorsed on copy of counterclaim (0.15, r.3(6))

NOTICE TO BE INDORSED ON COPY OF COUNTERCLAIM

To: [state name]

TAKE NOTICE that, within [14 days] after service of this defence and counterclaim on you, counting the day of service, you must acknowledge service and state in your acknowledgment whether you intend to contest the proceedings. If you fail to do so or if your acknowledgment does not state your intention to contest the proceedings, judgment may be given against you without further notice.

Notice of Proceedings (0.15, r.13A)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

[TITLE OF ACTION]

NOTICE OF PROCEEDINGS TO NON-PARTIES

TAKE NOTICE THAT:

- (1) A proceeding has been begun in the Grand Court in accordance with the [writ of summons] [originating summons] attached hereto.
- (2) You are or may be one of the persons who are interested in the [estate] [trust property] to which the proceeding relates.
- (3) This notice provides you with the opportunity to become a party to the proceedings so that you may participate in them. If you wish to do so you should within 14 days after service of this notice acknowledge service of the [writ] [originating summons] by properly completing the attached acknowledgment of service and handing it in at, or sending it by post to, the Law Courts, George Town, Grand Cayman. If you do so, you will become a party to the proceedings.
- (4) If you do not acknowledge service of the [writ] [originating summons] you will be bound by any judgment given in the proceeding as if you were a party to it.

Dated the day of 20 .

[Signature of Plaintiff's Attorney]

TO: The Clerk of the Court

AND TO: *[name and address of person to whom notice is addressed]*

IMPORTANT

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

This Notice was filed by *[name of Plaintiff or his Attorney]* whose address for service is *[state address within the jurisdiction] [Attorney for the Plaintiff]*.

Third party notice claiming contribution or indemnity or other relief or remedy (0.16)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

[TITLE OF ACTION]

THIRD PARTY NOTICE CLAIMING CONTRIBUTION OR INDEMNITY
OR OTHER RELIEF OR REMEDY

[Issued pursuant to the order of [Mr. Justice] dated the day of .]

TAKE NOTICE that this action has been brought by the Plaintiff against the Defendant. In it the Plaintiff claims against the Defendant [*state the nature of the Plaintiff's claim*] as appears from the writ of summons [*or originating summons*] a copy whereof is served herewith [*together with a copy of the statement of claim*].

The Defendant claims against you [*state the nature of the claim against the third party as for instance*] to be indemnified against the Plaintiff's claim and the costs of this action or contribution to the extent of [*one half*] of the Plaintiff's claim or the following relief or remedy namely [*state specifically the relief sought*] on the grounds that [*state the grounds of the claim*].

AND TAKE NOTICE that within [*14 days*] after service of this notice on you, counting the day of service, you must acknowledge service and state in your acknowledgment whether you intend to contest the proceedings. If you fail to do so, or if your acknowledgment does not state your intention to contest the proceedings, you will be deemed to admit the Plaintiff's claim against the Defendant and your liability to [*indemnify the Defendant or to contribute to the extent claimed or to [stating the relief or remedy sought]*] and will be bound by any judgment or decision given in the action, and the judgment may be enforced against you in accordance with GCR Order 16.

Dated the day of 20 .

[Signature of Defendant's Attorney]

TO: The Clerk of the Court
AND TO: [*state name and address of third party*]

IMPORTANT

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

This Notice was filed by [*name of Defendant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Defendant*].

Third party notice where question or issue to be determined (0.16)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO: OF 20__

[*TITLE OF ACTION*]

THIRD PARTY NOTICE WHERE QUESTION OR ISSUE TO BE DETERMINED

[Issued pursuant to the order of [Mr. Justice] dated the day of .]

TAKE NOTICE that this action has been brought by the Plaintiff against the Defendant. In it the Plaintiff claims against the Defendant [*state the nature of the Plaintiff's claim*] as appears from the writ of summons [*or originating summons*] a copy whereof is served herewith [together with a copy of the statement of claim].

And the Defendant requires that the following question or issue, viz., [*state the question or issue required to be determined*] should be determined not only as between the Plaintiff and the Defendant but also as between either or both of them and yourself.

AND TAKE NOTICE that within [*14 days*] after service of this notice on you, counting the day of service, you must acknowledge service and state in your acknowledgment whether you intend to contest the proceedings. If you fail to do so, or if your acknowledgment does not state your intention to contest the proceedings, you will be bound by any judgment or decision in the action so far as it is relevant to the said question or issue and the judgment may be enforced against you in accordance with GCR Order 16.

Dated the day of 20__ .

[*Signature of Defendant's Attorney*]

TO: The Clerk of the Court

AND TO: [*state name and address of third party*]

IMPORTANT

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

This Notice was filed by [*name of Defendant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Defendant*].

Notice of payment into Court (0.22, rr.1&2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

NOTICE OF PAYMENT INTO COURT

TAKE NOTICE that the Defendant [*state name*] has paid \$[*state amount*] into Court.

The said \$[*state amount*] is in satisfaction of [*state cause of action*] [*state all the causes of action*] in respect of which the Plaintiff claims [*and after taking into account and satisfying the above-named Defendant's cause of action for [state counterclaim] in respect of which he counterclaims*].

or

The said \$[*state amount*] is in satisfaction of the following causes of action in respect of which the Plaintiff claims, namely [*state claim*] [*and after taking into account as above*].

or

Of the said \$[*state amount*], \$ _____ is in satisfaction of the Plaintiff's cause[s] of action for [*state claim*] [*and after taking into account as above*].

Dated the _____ day of _____ 20__ .

[*Signature of Defendant's Attorney*]

TO: The Clerk of the Court

AND TO: [*state name and address of Plaintiff or his Attorney*]

This Notice was filed by [*name of Defendant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Defendant*].

Notice of acceptance of money paid into Court (0.22, r.3)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

NOTICE OF ACCEPTANCE OF MONEY PAID INTO COURT

TAKE NOTICE that the Plaintiff accepts the sum of \$[*state amount*] paid by the Defendant [*state name of Defendant*] in satisfaction of the cause(s) of action in respect of which it was paid into Court and in respect of which the Plaintiff claims [*against that Defendant*] [*and abandons the other causes of action in respect of which he claims in this action*].

Dated the day of 20__ .

[*Signature of Plaintiff's Attorney*]

TO: The Clerk of the Court

AND TO: [*state name and address of Defendant or his Attorney*]

This Notice was filed by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Plaintiff*].

List of documents (0.24, r.5)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

LIST OF DOCUMENTS

The following is a list of the documents relating to the matters in question in this action which are or have been in the possession, custody or power of the above-named Plaintiff [*or Defendant*] and which is served in compliance with Order 24, rule 2 [*or the order herein dated the day of 20__ .*]

1. The Plaintiff [*or Defendant*] has in his possession, custody or power the documents relating to the matters in question in this action enumerated in Schedule 1 hereto.
2. The Plaintiff [*or Defendant*] objects to producing the documents enumerated in Part 2 of the said Schedule 1 on the ground that [state the ground of objection].
3. The Plaintiff [*or Defendant*] objects to producing documents of the classes described in Part 3 of the said Schedule pending on application under Section 3A of the Confidential Relationships (Preservation) Law 1976, as amended, on the ground that they contain confidential information.
4. The Plaintiff [*or Defendant*] has had, but has not now, in his possession, custody or power the documents relating to the matters in question in this action enumerated in Schedule 2 hereto.
5. Of the documents in the said Schedule 2, those numbered [] in that Schedule were last in the Plaintiff's [*or Defendant's*] possession, custody or power on [state when] and the remainder on [state when]. [State what has become of the said documents and in whose possession they now are].
6. Neither the Plaintiff [*or Defendant*], nor his attorney nor any other person on his behalf, has now, or ever had, in his possession, custody or power any document of any description whatever relating to any matter in question in this action, other than the documents enumerated in Schedules 1 and 2 hereto.

Schedule 1

Part 1

[Here enumerate in a convenient order the documents (or bundles of documents, if of the same nature, such as invoices) in the possession, custody or power of the party in question which he does not object to produce, with a short description of each document or bundle sufficient to identify it.]

Part 2

[Here enumerate as aforesaid the documents in the possession, custody or power of the party in question which he objects to produce.]

Part 3

[Here describe without disclosing the confidential information contained therein]

Schedule 2

[Here enumerate as aforesaid the documents which have been, but at the date of service of the list are not, in the possession, custody or power of the party in question.]

Dated the day of 20__ .

[Signature of Plaintiff's/Defendant's Attorney]

NOTICE TO INSPECT

TAKE NOTICE that the documents in the above list, other than those listed in Parts 2 and 3 of Schedule 1 *[and Schedule 2]*, may be inspected at [the office of the attorney of the above-named *[Plaintiff/Defendant]* *[state address]* on the day of 20__ .

TO: *[Defendant/Plaintiff]* and his Attorney

This List of Documents was served by *[name of Plaintiff/Defendant or his Attorney]* whose address for service is *[state address within the jurisdiction]* *[Attorney for the Plaintiff/Defendant]*.

Interlocutory Summons – general form (0.32, r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

SUMMONS

LET THE [*identify respondent(s)*] attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on [*state date*] at [*state precise time*] upon an application by [*identify applicant*] for the following orders:

1. [*set out in numbered paragraphs the relief sought*].

2. [].

[3.] [*state the precise order for costs sought*].

Dated this day of 20__ .

[*Signature of Applicant's Attorney*]

TO: The Clerk of the Court

AND TO: [*In the case of all inter partes summonses list the respondents*]

TIME ESTIMATE: The estimated length of the hearing of this summons is [*state time*].

This Summons was issued by [*name of Applicant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Applicant*].

Writ of subpoena (0.38, r.14)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

WRIT OF SUBPOENA

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith

TO: [State names of witnesses]

WE COMMAND you to attend [*before [Mr. Justice] in Chambers*] [*at the trial of the action*], at the Law Courts, George Town, Grand Cayman, on the day of 20__ at o'clock and thereafter from day to day until your evidence shall have been taken, to give evidence on behalf of the [*Plaintiff or Defendant*] in the above-named cause [*and we also command you to bring with you and produce at the time and place aforesaid [describe the documents or things to be produced].*]

WITNESS the Honourable Mr. Justice [*state name of Chief Justice*], Chief Justice of the Grand Court this day of , 20__ .

[Signature of Applicant's Attorney]

This Writ of Subpoena was issued by [*name of Applicant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Applicant*].

Letter of Request (0.39, r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

[TITLE OF ACTION]
LETTER OF REQUEST

To the Competent Judicial Authority of []

I, the Honourable Mr. Justice [*state Judge's name*] respectfully request the assistance of your Court with regard to the following matters.

1. An action is now pending in the Grand Court entitled as above in which [*state name(s) and address(es)*] is plaintiff and [*state name(s) and address(es)*] is defendant.
2. The names and addresses of the representatives or agents of the parties are as follows:-
3. The action concerns a claim by the plaintiff for:-

[set out (a) the nature of the proceedings, (b) the relief sought, and (c) a summary of the facts]

4. It is necessary for the purposes of justice and for the due determination of the matters in dispute between the parties that you cause the following witnesses, who are resident within your jurisdiction, to be examined. The names and addresses of the witnesses are as follows:-
5. The witnesses should be examined on oath or if that is not possible within your laws or if it is impossible of performance by reason of the internal practice and procedure of your court or by reason of practical difficulties, they should be examined in accordance with whatever procedure your laws provide for in these matters.

6. Either/

The witnesses should be examined in accordance with the list of questions annexed hereto.

Or/

The witnesses should be examined regarding [*set out full details of evidence sought*]

[N.B. Where the witness is required to produce documents, these should be clearly identified].

See overleaf

7. I would ask that you cause me, or the agents of the parties (if appointed), to be informed of the date and place where the examination is to take place.
8. Finally, I request that you will cause the evidence of the said witnesses to be reduced into writing and all documents produced on such examinations to be duly marked for identification and that you will be further pleased to authenticate such examinations by the seal of your Court or in such other way as is in accordance with your procedure and return the written evidence and documents produced to me addressed as follows:-

Dated this day of , 20__ .

JUDGE OF THE GRAND COURT

Application for default judgment (0.42, r.6)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

[TITLE OF ACTION]

APPLICATION FOR DEFAULT JUDGMENT

The Plaintiff hereby applies to the Clerk of the Court for *[final judgment]* *[interlocutory judgment with damages to be assessed]* to be given against *[specify which defendant(s)]* pursuant to *[specify the applicable order and rule]* in the form and for the amounts specified in the draft annexed hereto.

The Plaintiff hereby certifies that:

1. The Writ was served on *[specify relevant Defendants]* as evidenced by *[specify the relevant affidavits of service]*; and
2. The *[specify relevant]* Defendant(s) has *[not served any notice of intention to defend]* *[served a notice stating that he does not intend to defend]* *[not served any defence]* as at the date hereof.

AND the Plaintiff hereby applies for the Court file to be closed pending the determination of this application.

Dated the day of 20__ .

[Signature of Applicant's Attorney]

This Application for Default Judgment was filed by *[name of Applicant or his Attorney]* whose address for service is *[state address within the jurisdiction]* *[Attorney for the Applicant]*.

Default judgment in action for liquidated damages (0.13, r.1, 0.19, r2, 0.42, r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

[TITLE OF ACTION]

DEFAULT JUDGMENT

UPON reading the Plaintiff's application for default judgment dated the day of 20__ .

AND UPON reading the affidavit of service of *[state deponent's name]* filed on the day of 20__ ,

AND no notice of intention to defend having been filed *[or no defence having been filed]* by the Defendant prior to the date of the Plaintiff's said application, it is this day adjudged that the Defendant do pay the Plaintiff the principal sum of \$*[state amount]*, interest thereon of \$*[state amount]* and fixed costs of \$*[state amount]* *[or costs to be taxed if not agreed]*.

Dated the day of 20__ .

Filed the day of 20__ .

JUDGE OF THE GRAND COURT

This Default Judgment was filed by *[name of Plaintiff or his Attorney]* whose address for service is *[state address within the jurisdiction]* *[Attorney for the Plaintiff]*.

Default interlocutory judgment for damages to be assessed (0.13, r.2, 0.19, r.3, 0.42, r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

[TITLE OF ACTION]

DEFAULT INTERLOCUTORY JUDGMENT FOR DAMAGES TO BE ASSESSED

UPON reading the Plaintiff's application for default judgment dated the day of 20__ .

AND UPON reading the affidavit of service of [*state deponent's name*] filed on the day of 20__

AND no notice of intention to defend having been filed [*or no defence having been filed*] by the Defendant prior to the date of the Plaintiff's said application, it is this day adjudged that the Plaintiff do have judgment against the Defendant to be assessed together with the fixed costs of \$[*state amount*] [*or, such costs to be taxed if not agreed*].

Dated the day of 20__ .
Filed the day of 20__ .

JUDGE OF THE GRAND COURT

This Default Judgment was filed by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Plaintiff*].

Final judgment after assessment of damages, etc. (0.42, r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

The Hon. Mr. Justice [*state name*] [*in Chambers*]

[TITLE OF ACTION]

FINAL JUDGMENT AFTER ASSESSMENT OF DAMAGES

UPON hearing Counsel for the Plaintiff [*or parties*] on the Plaintiff's summons dated the ___ day of ___, 20__ for damages to be assessed, interlocutory judgment having been entered on the ___ day of ___, 20__

AND UPON reading the affidavit [*state deponent's name*] filed on the ___ day of ___, 20__ on behalf of the Plaintiff

IT IS ORDERED AND ADJUDGED that:

1. The amount due to the Plaintiff is certified to be the principal sum of \$[*state amount*] together with interest thereon of \$[*state amount*].
2. The Defendant do pay the Plaintiff's costs, to be taxed if not agreed.

Dated the ___ day of ___, 20__ .
Filed the ___ day of ___, 20__ .

JUDGE OF THE GRAND COURT

This Final Judgment was filed by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Plaintiff*].

Judgment for plaintiff under Order 14 (0.14, r.3)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [*state name*] in Chambers

CAUSE NO: OF 20__

[TITLE OF ACTION]

SUMMARY JUDGMENT

UPON hearing Counsel for the Plaintiff [*or the parties*] on his summons for summary judgment dated the ___ day of _____, 20__ .

AND UPON the Defendant having given notice of intention to defend.

AND UPON reading the statement of claim.

AND UPON reading the affidavit of [*state deponent's name*] filed on the ___ day of _____, 20__ on behalf of the Plaintiff.

AND UPON reading the affidavit of service of [*state deponent's name*] filed on the ___ day of _____, 20__ .

IT IS ORDERED AND ADJUDGED that:

1. The Defendant do pay to the Plaintiff the principal sum of \$[*state amount*] together with interest thereon of \$[*state amount*].

[*or The Defendant do pay the Plaintiff damages to be assessed*]

[*or the Defendant do deliver to the Plaintiff the goods described in the schedule hereto*]

[*or the Defendant do give to the Plaintiff possession of all that land comprised in [give registration details]*]

2. The Defendant do pay the Plaintiff's costs, to be taxed if not agreed.

Dated the ___ day of _____, 20__ .

Filed the ___ day of _____, 20__ .

JUDGE OF THE GRAND COURT

This Judgment was filed by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Plaintiff*].

Judgment for defendant under Order 14 (O.14, r.14)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [state name] in Chambers

CAUSE NO: OF 20

[TITLE OF ACTION]

SUMMARY JUDGMENT

UPON hearing Counsel for the parties on the Defendant's summons for summary judgment dated the day of , 20 .

AND UPON reading the pleadings

AND UPON reading the affidavit of [state deponent's name] filed on the day of , 20 on behalf of the Defendant.

AND the Court being satisfied that the Plaintiff's claim has no prospect of success [*or the Plaintiff has no prospect of recovering more than nominal damages*].

IT IS ORDERED AND ADJUDGED that:

1. The Plaintiff's claim is dismissed and judgment is hereby entered for the Defendant.
2. The Plaintiff do pay the Defendant's costs, to be taxed if not agreed.

Dated the day of 20 .
Filed the day of 20 .

JUDGE OF THE GRAND COURT

This Judgment was filed by [name of Defendant or his Attorney] whose address for service is [state address within the jurisdiction] [Attorney for the Defendant].

Judgment after trial before Judge without jury (0.42, r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [*state name*]

CAUSE NO: OF 20__

[TITLE OF ACTION]

JUDGMENT

THIS ACTION having been tried before the Honourable Mr. Justice [*state name*] without a jury, at the Law Courts, George Town, on [*state dates or period during which the trial took place*].

IT IS ORDERED AND ADJUDGED that:

1. The Defendant do pay the Plaintiff the principal sum of \$[*state amount*] together with interest of \$[*state amount*].
2. The Defendant do pay the costs of the action, to be taxed if not agreed.
3. [*It is directed that execution of this judgment be stayed [state terms]*].

Dated the day of 20__ .
Filed the day of 20__ .

JUDGE OF THE GRAND COURT

This Judgment was filed by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Plaintiff*].

Writ of fieri facias (0.45, r.12)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

WRIT OF FIERI FACIAS

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith

To the Bailiff, greeting

WHEREAS in the above named action it was on the day of 20__ ordered and adjudged in this Court that the Defendant do pay the Plaintiff the principal sum of \$[*state amount*] and interest thereon of \$[*state amount*] and costs to be taxed [*costs which have been taxed and allowed at \$[state amount] as appears by the certificate of the taxing officer dated the day of 20__*].

WE COMMAND you to seize the goods, chattels and other property of [*state the judgment debtor's name*] authorised by law to be seized in execution; to sell the said goods, chattels and other property; and to pay out of the proceeds of sale, after having deducted your fees and proper expenses of sale, the said sum of \$[*state amount*] to [*state name of judgment creditor*].

AND WE ALSO COMMAND you to indorse on this writ immediately after execution thereof a statement of the manner in which you have executed it and send a copy of the statement to the judgment creditor.

WITNESS the Honourable Mr. Justice [*state name*], Chief Justice of the Grand Court this day of , 20__ .

Dated the day of 20__ .

[*Signature of Judgment Creditor's Attorney*]

This Writ was issued by [*name of Judgment Creditor or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Judgment Creditor*].

Writ of fieri facias on order for costs (0.45, r.12)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

WRIT OF FIERI FACIAS ON ORDER FOR COSTS

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith

To the Bailiff, greeting

WHEREAS in the above named action it was on the day of 20__ ordered and adjudged in this Court that the Defendant do pay the Plaintiff's costs to be taxed if not agreed, which costs have been taxed and allowed at \$[state amount] as appears by the certificate of the taxing officer dated the day of 20__ .

WE COMMAND you to seize the goods, chattels and other property of [state the judgment debtor's name] authorised by law to be seized in execution; to sell the said goods, chattels and other property; and to pay out of the proceeds of sale, after having deducted your fees and proper expenses of sale, the said sum of \$[state amount] to [state name of judgment creditor].

AND WE ALSO COMMAND you to indorse on this writ immediately after execution thereof a statement of the manner in which you have executed it and send a copy of the statement to the judgment creditor.

WITNESS the Honourable Mr. Justice [state name], Chief Justice of the Grand Court this day of , 20__ .

Dated the day of 20__ .

[Signature of Judgment Creditor's Attorney]

This Writ was issued by [name of Judgment Creditor or his Attorney] whose address for service is [state address within the jurisdiction] [Attorney for the Judgment Creditor].

Writ of possession (0.45, r.12)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

WRIT OF POSSESSION

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith

To the Bailiff, greeting

WHEREAS in the above action it was on the day of 20__ ordered and adjudged that the Defendant do give the Plaintiff possession of [*describe the land by reference to its registered title*] and do pay him arrears of rent [*or as the case may be*] in the principal sum of \$[*state amount*] and interest thereon of \$[*state amount*] and costs to be taxed [*costs which have been taxed and allowed at \$[state amount] as appears by the certificate of the taxing officer dated the day of 20__*].

WE COMMAND you to enter the said land and cause the Plaintiff to have possession of it.

AND WE ALSO COMMAND you to seize the goods, chattels and other property of [*state the judgment debtor's name*] authorised by law to be seized in execution; to sell the said goods, chattels and other property; and to pay out of the proceeds of sale, after having deducted your fees and proper expenses of sale, the said sum of \$[*state amount*] to [*state name of judgment creditor*].

AND WE ALSO COMMAND you to indorse on this writ immediately after execution thereof a statement of the manner in which you have executed it and send a copy of the statement to the Plaintiff.

WITNESS the Honourable Mr. Justice [*state name*], Chief Justice of the Grand Court this day of , 20__ .

Dated the day of 20__ .

[*Signature of Plaintiff's Attorney*]

This Writ was issued by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Plaintiff*].

Writ of sequestration (0.45, r.12)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

WRIT OF SEQUESTRATION

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith

To [*state name of sequestrator*]

WHEREAS in the above named action [*or matter*] it was on the day of 20__ ordered and adjudged that [*state judgment debtor's name*] do pay the principal sum of \$[*state amount*] together with interest thereon of \$[*state amount*] and costs to be taxed [*costs which have been taxed and allowed at \$[state amount]*] as appears by the certificate of the taxing officer dated the day of 20__ [*or state details of mandatory injunctions, as the case may be*].

KNOW YE, therefore, that we, in confidence of your prudence and fidelity, do by this writ authorise and command you, or any two or three of you, to enter upon and take possession of all the real and personal estate of the said [*state name*] and to collect, receive and get into your hands the rents and profits of his real estate and all his personal estate and keep the same under sequestration in your hands until the said [*state name*] shall [*pay into Court to the credit of the said action or matter the sum of \$[state amount] or as the case may be*] and clear his contempt and until our said Court shall make an order to the contrary.

WITNESS the Honourable Mr. Justice [*state name*], Chief Justice of the Grand Court this day of , 20__ .

Dated the day of 20__ .

[*Signature of Plaintiff's Attorney*]

This Writ was issued by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Plaintiff*].

Order for examination of judgment debtor or officer (O.45, r.7(4))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice *[state name]* *[in Chambers]*

CAUSE NO: OF 20__

BETWEEN: PLAINTIFF/JUDGMENT CREDITOR

AND: DEFENDANT/JUDGMENT DEBTOR

ORDER FOR EXAMINATION OF JUDGMENT DEBTOR OR OFFICER

UPON HEARING Counsel for the Plaintiff upon his summons dated [].

UPON reading the affidavit of *[state deponent's name]*, filed herein

IT IS ORDERED that

1. The Judgment Debtor, *[state name]* *[or, (state name) being a director or officer(s) of the Judgment Debtor]* do attend before the Judge in Chambers at the Law Courts, George Town on the *[state date]* at *[state time]* to be orally examined about the debts owing to and property owned by the Judgment Creditor.
2. The said Judgment Debtor *[or named officer(s) of the Judgment Debtor]* shall produce all the books and records in his possession or power relating to the debts owed to and property owned by him including *[list any specific documents either in the order or a schedule to it]*.
3. The costs of this order and of the examination shall be in the discretion of the Judge taking the examination.

Dated the day of 20__ .

Filed the day of 20__ .

JUDGE OF THE GRAND COURT

NOTE - This order requires personal service, and if the copy served bears a copy of the appointment of the date for the examinations, and is indorsed as prescribed by O.45, r.7(4), it may be enforced by committal.

This Order was filed by *[name of Judgment Creditor or his Attorney]* whose address for service is *[state address within the jurisdiction]* *[Attorney for the Judgment Creditor]*.

No. 30A

Application for examination of judgment debtor (O.48, r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

BETWEEN: PLAINTIFF/JUDGMENT CREDITOR

AND: DEFENDANT/JUDGMENT DEBTOR

APPLICATION FOR EXAMINATION OF JUDGMENT DEBTOR

Application is hereby made to the Clerk of the Court pursuant to GCR O.48 for an order that *[state name]* the judgment debtor *[or officer of the judgment debtor]* attend before the Court to be examined as to his means.

The grounds of this application are contained in the affidavit of *[state name]* sworn on *[state date]*.

Dated the day of 20 .
Filed the day of 20 .

[state name]

This application was filed by *[name of judgment debtor or his attorney]* whose address for service is *[state address within the jurisdiction]*.

No. 31
Garnishee order to show cause (0.49, r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice *[state name]* *[in Chambers]*

CAUSE NO: OF 20__

BETWEEN:

JUDGMENT CREDITOR

AND:

JUDGMENT DEBTOR
GARNISHEE

GARNISHEE ORDER TO SHOW CAUSE

UPON hearing Counsel for the judgment creditor and the garnishee

AND UPON reading the affidavit of *[state deponent's name]* filed on the day of , 20__
on behalf of the [].

IT IS ORDERED that all debts due or accruing due from the above-mentioned garnishee to the above-mentioned judgment debtor *[in the sum of \$[state amount]]* be attached to answer a judgment recovered against the said judgment debtor by the above-named judgment creditor in the Grand Court on the day of 20__ for the sum *[or to answer an order made in the Grand Court on the day of 20__ ordering payment by the said judgment debtor to the above-named judgment creditor of the sum]* of *[\$[state amount] [debt and \$[state amount] costs]* (together with the costs of the garnishee proceedings) on which judgment *[or order]* the sum of *[\$[state amount]* remains due and unpaid.

AND IT IS ORDERED that the said garnishee attend before the Judge in Chambers on *[insert date]*, at o'clock, on an application by the said judgment creditor that the said garnishee do pay to the said judgment creditor the debt due from the said garnishee to the said judgment debtor, or so much thereof as may be sufficient to satisfy the said judgment *[or order]*, together with the costs of the garnishee proceedings.

Dated the day of 20__ .

Filed the day of 20__ .

JUDGE OF THE GRAND COURT

TO: The Clerk of the Court

AND TO: The above-named garnishee

AND TO: The Judgment Debtor

This Order was filed by *[name of Judgment Creditor or his Attorney]* whose address for service is *[state address within the jurisdiction]* *[Attorney for the Judgment Creditor]*.

Garnishee order absolute where garnishee owes more than judgment debt (0.49, rr.1, 4)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [state name] [in Chambers]

CAUSE NO: OF 20__

BETWEEN:

JUDGMENT CREDITOR

AND:

JUDGMENT DEBTOR
GARNISHEE

GARNISHEE ORDER ABSOLUTE WHERE GARNISHEE
OWES MORE THAN JUDGMENT DEBT

UPON HEARING Counsel for the judgment creditor and the garnishee

AND UPON reading the affidavit of [state deponent's name] filed herein, and the order to show cause made herein dated the day of 20__ .

IT IS ORDERED that all debts due or accruing due from the above-mentioned garnishee to the above-mentioned judgment debtor [*in the sum of \$[state amount]*] be attached to answer the judgment recovered against the Judgment Debtor by the Judgment Creditor on the day of 20__ for the sum of \$[state amount] (together with the costs of the garnishee proceedings) on which judgment the sum of \$[state amount] remains due and unpaid.

AND IT IS ORDERED that the said Garnishee do forthwith pay to the Judgment Creditor \$[state amount] being so much of the debt due from the said Garnishee to the said Judgment Debtor as is sufficient to satisfy the said judgment debt and costs, together with \$[state amount] being the costs of the garnishee proceedings, and that the said garnishee be at liberty to retain \$[state amount] for his costs of this application out of the balance of the debt due from him to the judgment debtor.

Dated the day of 20__ .

Filed the day of 20__ .

JUDGE OF THE GRAND COURT

TO: The Clerk of the Court

AND TO: The above-named Garnishee

AND TO: The Judgment Debtor

This Order was filed by [name of Judgment Creditor or his Attorney] whose address for service is [state address within the jurisdiction] [Attorney for the Judgment Creditor].

Charging order; notice to show cause (0.50, r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [state name]

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

CHARGING ORDER: NOTICE TO SHOW CAUSE

UPON HEARING Counsel for the Plaintiff upon his motion dated [].

AND UPON reading the affidavit of [state deponent's name] filed herein the [date of filing] whereby it appears that by a judgment [or order] made on the day of 20__ the Defendant was ordered to pay to the Plaintiff the sum of \$[state amount], of which \$[state amount] remains due and unpaid and that the Defendant has a beneficial interest in the asset specified in the schedule hereto:

IT IS ORDERED that unless sufficient cause to the contrary be shown at a hearing before the Grand Court on the day of 20__ , at o'clock, the Defendant's interest in the said asset shall, and it is ordered that in the meantime it do, stand charged with the payment of \$[state amount] due on the said judgment [or order] [and interest thereon at the statutory rate] together with the costs of this application.

Dated the day of 20__ .
Filed the day of 20__ .

JUDGE OF THE GRAND COURT

SCHEDULE

[Describe with full particulars the relevant land, securities, funds or trust, stating, in relation to securities, their full title, the amount of them and the name in which they stand and whether the beneficial interest charged is in the securities only or in dividends or interest as well, and stating, in relation to funds in Court, the number of the account].

[NOTE - In the case of land Form RL9A must be completed, signed by the Judge and filed in the Land Registry.]

This Order was filed by [name of Plaintiff or his Attorney] whose address for service is [state address within the jurisdiction] [Attorney for the Plaintiff].

No. 34
Charging order absolute (0.50, r.3)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [state name] [in Chambers]

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

CHARGING ORDER ABSOLUTE

UPON HEARING Counsel for the Plaintiff

AND UPON reading the affidavits of [state deponent's name(s)] filed herein the [date of filing] and the order to show cause made herein on the day of 20__ :

IT IS ORDERED that the interest of the Defendant [name of Defendant] in the asset specified in the schedule hereto stand charged with the payment of \$[state amount], the amount due from the Defendant to the Plaintiff on a judgment [or order] dated the day of 20__ [and interest thereon at the statutory rate] together with \$[state amount] the costs of this application, the said costs to be added to the judgment debt.

Dated the day of 20__ .
Filed the day of 20__ .

JUDGE OF THE GRAND COURT

SCHEDULE

[Describe with full particulars the relevant land, securities, funds or trust, stating, in relation to securities, their full title, the amount of them and the name in which they stand and whether the beneficial interest charged is in the securities only or in dividends or interest as well, and stating, in relation to funds in Court, the number of the account].

STOP NOTICE

To [specify the transfer agent]

TAKE NOTICE that, in relation to the securities specified in the schedule to this Order, you may not, without notice to [name of the Plaintiff] at [address] register any transfer, or make any redemption payment, or, in the case of a unit trust, deal with the units, or, where dividends or interest are included in the order, pay any dividend or interest.

This Order was filed by [name of Plaintiff or his Attorney] whose address for service is [state address within the jurisdiction] [Attorney for the Plaintiff].

No. 34A
Affidavit and Stop Notice (0.50, r.11)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

In the Matter of [*state the deed of settlement or other document under which the deponent's interest arises*]

And In the Matter of GCR Order 50, rule 11

AFFIDAVIT

I, [*state name and address*], MAKE OATH and say as follows:

1. [*Describe how the deponent's beneficial entitlement to the relevant securities arises*].
2. [*Set out any other facts relied upon in support of the application*].

SWORN to at George Town
Grand Cayman this ____ day
of _____, 19____

Notary Public

STOP NOTICE

TO: [*name and address of the share transfer agent and the company or mutual fund whose securities are the subject of the notice*]

TAKE NOTICE that the securities comprised in and subject to the trusts of the settlement referred to in the affidavit to which this notice is annexed consist of the following:

[*specify the securities*]

This notice is intended to stop the transfer of the said securities and not the payment of any dividend or interest due thereon.

[*Signature of Applicant*]

Application for Attachment of Earnings Order (Judgment Debt) (0.50A, r.4)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN

AND

Plaintiff

Defendant(s)

APPLICATION FOR ATTACHMENT OF EARNINGS ORDER

To the Judgment Debtor

--

TAKE NOTICE that an application has been made for an attachment of earnings order to be made against you to enforce payment of the judgment, details of which are contained in the supporting affidavit, a copy of which is served herewith.

YOU ARE REQUIRED pursuant to GCR Order 50A, rule 5(2) to complete the enclosed Statement of Means form and return it to the Clerk of the Court at the Law Courts, P.O. Box 495G, George Town, Grand Cayman within 8 days of receipt of this Application.

AND TAKE NOTICE that if you fail to complete and return the Statement of Means form within the prescribed time limit an order may be made pursuant to GCR Order 50A, rule 8 that you be committed to prison.

Dated the day of , 20__ .

Applicant's Signature

This Application is made by:

--

NOTES FOR GUIDANCE

1. If you dispute the amount owing, you must write a letter to the Clerk of the Court specifying how much you have paid, the dates of such payments and the amount which you believe to be outstanding including interest and costs.
2. When corresponding with the Clerk of the Court you must quote the Cause No. specified on the top right hand corner of this application.
3. The Courts Office at the Law Courts George Town is open between 10:00 a.m. and 4:00 p.m.
4. It is important that the Statement of Means form is completed fully and accurately. Even if you dispute the amount owing, you must still complete the Statement of Means form, failing which you may be sent to prison.
5. If you want to avoid an attachment of earnings order being made against you, you may pay the full amount owing under the judgment to the Accountant General of the Grand Court at the Court Funds Office, Government Administration Building, George Town. You may pay by means of -
 - (a) cash;
 - (b) banker's draft payable to the Accountant General of the Grand Court; or
 - (c) the Accountant General of the Grand Court may be prepared to accept a personal cheque, but is not obliged to do so.

Unless payment is made in full within 8 days from receipt of this application, you must still complete the Statement of Means form and return it to the Clerk of the Court.

Certificate of Service

I certify that the Application of which this is a true copy was served by me on the Judgment Debtor personally on the ____ day of _____, 20__ at approximately _____ a.m./p.m.

I certify that this Application has not been served for the following reason:

Date the ____ day of _____, 20__ .

[Signature of Bailiff or Process Server]

No. 36
Statement of Means (0.50A, r.5 and 0.52, r.12)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

BETWEEN

AND

Plaintiff

Defendant(s)

STATEMENT OF MEANS

1. Personal details

Name: Age:

Address:

Marital status: Married Single Divorced

2. Details of children:

Name	Age

3. Details of other dependents:

Name	Relationship

4. Details of employment:

Employer's name:

Employer's address:

Your Job Specification:

Amount of Wages: Work Permit No.

5. If unemployed:

Reason for unemployment:

Amount of pension (if any):

6. Details of land owned:

Registration details:	Registration Section	Block	Parcel
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Estimated value: Amount of Mortgage

7. Details of savings:

Name of bank:
Account Nos: Balance:

8. Details of monthly expenses:

Mortgage instalments:	<input type="text"/>
Rent:	<input type="text"/>
Utilities:	<input type="text"/>
Maintenance Orders:	<input type="text"/>
Loan instalments:	<input type="text"/>

I offer to pay the sum of \$ _____ per month.

I declare that the details contained in this statement of means are true and accurate to the best of my knowledge and belief.

Signed: _____ Date: _____

No. 37
Notice to Employer (0.50A, r.6)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

BETWEEN

AND

Plaintiff

Defendant(s)

NOTICE TO EMPLOYER

To (Employer's Name and Address)

--

YOU ARE REQUIRED within 7 days of receipt of this Notice to send to the Clerk of the Court details of the earnings of the following judgment debtor who is believed to be in your employment:

(Name and Address of Employee)

--

The details required to be given are explained in the Guidance Notes on the reverse side of this Notice.

AND TAKE NOTICE that failure to comply with this Notice within the prescribed time limit is a crime punishable by means of a fine or a term of imprisonment.

Dated the day of , 20__ .
Filed the day of , 20__ .

JUDGE OF THE GRAND COURT

NOTES FOR GUIDANCE

1. Your reply should be addressed to the Clerk of the Court at the Law Courts, P.O. Box 495G, George Town, Grand Cayman.
2. It is important that all correspondence with the Clerk of the Court quotes the Cause No. specified on the top right hand corner of this Notice.
3. You should reply by letter specifying the following:
 - (a) the nature of the debtor's employment;
 - (b) if the debtor's employment is temporary, the anticipated length of employment;
 - (c) if the debtor is paid a salary, the weekly or monthly amount;
 - (d) if the debtor is paid overtime, the average amount of such payments over the preceding 3 months;
 - (e) if the debtor is paid by the hour, the hourly rate(s) and his average earnings over the preceding 6 weeks;
 - (f) particulars of any other benefits to which the debtor is entitled under his contract of employment; and
 - (g) if you have a work permit for the debtor, specify the work number and the date upon which it expires.
4. If the debtor is no longer in your employment, you must reply stating the date upon which he ceased to be so employed. You should give the name and address of his present employer if this information is known to you.
5. Your reply should be signed by the employer personally or by someone duly authorised on the employer's behalf who has personal knowledge of the information required.

Attachment of Earnings Order (Judgment Debt) (0.50A, r.10(1))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [state name]

CAUSE NO.....OF 20..

BETWEEN

AND

Plaintiff

Defendant(s)

ATTACHMENT OF EARNINGS ORDER

To [*state name and address of employer*]

The Judgment Debtor, [*state name*], who is employed by you is in arrears under a judgment of this Court and earnings are payable by you to him.

You are therefore ordered to make periodical deductions out of the Judgment Debtor's earnings in accordance with the Second Schedule of The Judicature Law (1995 Revision) until the total sum of \$[*state amount*] (being principal and post-judgment interest), has been paid.

For the purpose of calculating the deductions

- The normal deduction rate is \$ per week/month
- The protected earnings rate is \$ per week/month

And you are ordered to pay the sums deducted to the Court Funds Office, Government Administration Building, George Town, at monthly intervals in accordance with the Directions on the reverse side of this Order.

Dated this day of , 20__ .
Filed this day of , 20__ .

JUDGE OF THE GRAND COURT

DIRECTIONS FOR EMPLOYERS

1. The normal deduction rate is the amount which you must normally deduct from your employee's wages or salary each week or each month, as the case may be.
2. The protected earnings rate is the minimum net pay which must be left to the employee each week or month, as the case may be.
3. If the employee's wages or salary is reduced, for example because the employee has been ill or the employee was unable to work his usual amount of overtime, with the result that the net take home pay would be reduced below the protected earnings rate if the normal deduction is made, you must deduct a lower amount so that the employee always takes home at least the amount of the protected earnings rate.
4. All payments must be made by cheque payable to the "Accountant General of the Grand Court" and must be accompanied by completed lodgment and receipt forms taken from the book of blank pre-printed carbonised forms delivered with this Order. The receipt form will be signed by an authorised officer and returned to you to acknowledge receipt of your payment. Payments may be hand delivered or posted to the Court Funds Office, Government Administration Building, George Town.
5. Deductions made from an employee's remuneration must be recorded in the employer's work account maintained in accordance with Section 30(1) of the Labour Law 1987, as amended, and the receipts issued by the Court Funds Office should be treated as part of the work account to be preserved for at least two years.

NOTES FOR GUIDANCE OF DEBTORS/EMPLOYEES

1. This is a copy of an Attachment of Earnings Order sent to your employer.
2. The installments deductible under this Order include post-judgment interest calculated in accordance with Practice Direction 2/95.
3. Your employer should give you a statement each month specifying the amount which has been deducted from your wages in accordance with this Order. If he fails to do so you have the right under Section 31 of the Labour Law 1987, as amended, to ask for such a statement.
4. If you change your employer you must notify the Clerk of the Court within 7 days giving the following details:
 - (a) the date on which your old employment terminated;
 - (b) the name and address of your new employer;
 - (c) the date on which your new employment commenced;
 - (d) your work permit number (if any); and
 - (e) *the average weekly or monthly amount of your new income including the basic salary, overtime payments, and other monetary benefits.*

No. 39

Notice of Hearing (Reconsideration) (0.50A, r.7)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

BETWEEN

AND

Plaintiff

Defendant(s)

NOTICE OF HEARING

To the Judgment Debtor

--

And to the Judgment Creditor

--

TAKE NOTICE that the Judgment Debtor's/Creditor's [*delete as applicable*] application under GCR Order 50A, rule 7(2) for reconsideration of the amount payable under the Attachment of Earnings Order dated _____ will be heard at the Law Courts, George Town, Grand Cayman on _____ at _____ a.m./p.m.

AND FURTHER TAKE NOTICE that if the Judgment Creditor does not wish to attend at the hearing of an application made by him, he must write a letter to the Clerk of the Court requesting that the hearing proceed in his absence, and if such letter is received prior to the hearing date specified above, the Court will proceed to deal with the application in the Judgment Creditor's absence.

AND FURTHER TAKE NOTICE that an application for reconsideration by the Judgment Debtor will be dismissed unless he attends at the hearing on the day and at the time specified above. If the Judgment Debtor fails to attend on an application made by the Judgment Creditor, the Court may increase the amount payable under the Attachment of Earnings Order in his absence.

Dated the day of , 20 .

Clerk of the Court

No. 40
Notice of Hearing (0.50A, r.7)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

BETWEEN

AND

Plaintiff

Defendant(s)

NOTICE OF HEARING

To the Judgment Debtor

--

To the Judgment Creditor

--

TAKE NOTICE that the Judgment Creditor's application for an Attachment of Earnings Order has been deferred pending an oral hearing.

AND TAKE NOTICE that the application will be heard at the Law Courts, George Town, Grand Cayman on _____ at _____ a.m./p.m.

AND FURTHER TAKE NOTICE that if the Judgment Creditor does not wish to attend at the hearing of an application made by him, he must write a letter to the Clerk of the Court requesting that the hearing proceed in his absence, and if such letter is received prior to the hearing date specified above, the Court will proceed to deal with the application in the Judgment Creditor's absence.

AND FURTHER TAKE NOTICE that if the Judgment Debtor fails to attend at the hearing the Court may make an Attachment of Earnings Order in his absence on the basis of the information contained in his Statement of Means form.

Dated the day of , 20 .

Clerk of the Court

No. 41

Notice to Show Case (Failure to File Statement of Means) (0.50A, r.8(1))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

BETWEEN

AND

Plaintiff

Defendant(s)

NOTICE TO SHOW CAUSE

To the Judgment Debtor

--

You have failed to complete and return a Statement of Means form to the Court office within the prescribed time which is a criminal offence under the Second Schedule, paragraph 14, of the Judicature Law (1995 Revision).

YOU ARE THEREFORE ORDERED to attend Court in person at the Law Courts, George Town, Grand Cayman on the day of 20 at a.m./p.m., to explain why you should not be committed to prison for failing to complete and return a Statement of Means in compliance with the application served on you on _____.

Dated the day of 20 .

Filed the day of 20 .

JUDGE OF THE GRAND COURT

NOTES FOR GUIDANCE

1. In order to avoid being committed to prison you must immediately complete a Statement of Means form and deliver it to the Court office.
2. The Court office at the Law Courts, George Town, Grand Cayman is open between 10 am and 4 pm Monday to Friday. If you have lost the Statement of Means form originally sent to you, another form may be obtained from the Court office.
3. When corresponding with the Court, please address forms or letters to the Clerk of the Court and quote the cause number.
4. You must attend at Court in person on the day and at the time specified in this Notice and explain to the Judge why you failed to complete and return to the Court office a Statement of Means form within the prescribed time. If you fail to attend, a warrant will be issued for your arrest.

Certificate of Service

I certify that the Notice to Show Cause of which this is a true copy was served by me on the Judgment Debtor personally on the ____ day of _____, 20__ at approximately _____ a.m./p.m.

I certify that the Notice to Show Cause has not been served for the following reason:

Date the ____ day of _____, 20 .

[Signature of Bailiff or Process Server]

Order to Employer for Production of Statement of Earnings (0.50A, r.14(1))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [*state name*] in Chambers

CAUSE NO.....OF 20..

BETWEEN

Plaintiff

AND

Defendant(s)

ORDER FOR PRODUCTION OF STATEMENT OF EARNINGS

To the Judgment Debtor's Employer

You are believed to be the employer of the following Judgment Debtor in respect of whom an application has been made for an Attachment of Earnings Order

Name and Address of Judgment Debtor/Employee

YOU ARE HEREBY ORDERED to send to the Clerk of the Court details of the earnings of the said Judgment Debtor **within 8 days** after service of this Order upon you.

The details required to be given are explained in the Guidance Notes on the reverse side of this Order.

AND FURTHER TAKE NOTICE that failure to comply with this Order within the prescribed time limit is a crime punishable by means of a fine or a term of imprisonment.

Dated this day of 20 .

Filed this day of 20 .

JUDGE OF THE GRAND COURT

NOTES FOR GUIDANCE

1. Your reply should be addressed to the Clerk of the Court at the Law Courts, P.O. Box 495G, George Town, Grand Cayman.
2. It is important that all correspondence with the Clerk of the Court quotes the Cause No. specified on the top right hand corner of this Notice.
3. You should reply by letter specifying the following:
 - (a) the nature of the debtor's employment;
 - (b) if the debtor's employment is temporary, the anticipated length of employment;
 - (c) if the debtor is paid a salary, the weekly or monthly amount;
 - (d) if the debtor is paid overtime, the average amount of such payments over the preceding 3 months;
 - (e) if the debtor is paid by the hour, the hourly rate(s) and his average earnings over the preceding 6 weeks;
 - (f) particulars of any other benefits to which the debtor is entitled under his contract of employment; and
 - (g) if you have a work permit for the debtor, specify the work number and the date upon which it expires.
4. If the debtor is no longer in your employment, you must reply stating the date upon which he ceased to be so employed. You should give the name and address of his present employer if this information is known to you.
5. Your reply should be signed by the employer personally or by someone duly authorised on the employer's behalf who has personal knowledge of the information required.

Notice to Show Cause (Failure to Produce Statement of Earnings) (0.50A, r.14)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

BETWEEN

Plaintiff

AND

Defendant(s)

NOTICE TO SHOW CAUSE

To *[name and address of employer]*

--

You have failed to return to the Clerk of the Court details of the earnings of the Judgment Debtor referred to in the Order made on _____ within the prescribed time which is a criminal offence under the Second Schedule, paragraph 14, of the Judicature Law (1995 Revision).

YOU ARE THEREFORE ORDERED to attend Court in person at the Law Courts, George Town, Grand Cayman on the day of _____ 20 at _____ a.m./p.m., to explain why you should not be committed to prison for failing to comply with the said Order which was served on you on _____.

Dated the day of 20 .
Filed the day of 20 .

JUDGE OF THE GRAND COURT

NOTES FOR GUIDANCE

1. In order to avoid being committed to prison you must immediately send details of the Judgment Debtor's earnings to the Court office.
2. The Court office at the Law Courts, George Town, Grand Cayman is open between 10 am and 4 pm Monday to Friday. If you have lost the Order and Guidance Notes originally served on you, another copy may be obtained from the Court office.
3. When corresponding with the Court, please address forms or letters to the Clerk of the Court and quote the cause number.
4. You must attend at Court in person on the day and at the time specified in this Notice and explain to the Judge why you failed to comply with the said Order within the prescribed time. If you fail to attend, a warrant will be issued for your arrest.

Certificate of Service

I certify that the Notice to Show Cause of which this is a true copy was served by me on the employer personally on the ____ day of _____, 20__ at approximately _____ a.m./p.m.

I certify that the Notice to Show Cause has not been served for the following reason:

Date the ____ day of _____, 20__ .

[Signature of Bailiff or Process Server]

No. 44

Application for Attachment of Earnings Order (Maintenance Order) (0.50A, r.16)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN

Petitioner

AND

Respondent

APPLICATION FOR ATTACHMENT OF EARNINGS ORDER

To the Respondent

--

TAKE NOTICE that an application has been made for an attachment of earnings order to be made against you to enforce payment of the maintenance order, details of which are contained in the supporting affidavit, a copy of which is served herewith.

YOU ARE REQUIRED pursuant to GCR Order 50A, rule 5(2) to complete the enclosed Statement of Means form and return it to the Clerk of the Court at the Law Courts, P.O. Box 495G, George Town, Grand Cayman within 8 days of receipt of this Application.

AND TAKE NOTICE that if you fail to complete and return the Statement of Means form within the prescribed time limit an order may be made pursuant to GCR Order 50A, rule 8 that you be committed to prison.

Dated the day of , 20__ .

Applicant's Signature

This Application is made by:

--

NOTES FOR GUIDANCE

1. If you dispute the amount of the arrears, you must write a letter to the Clerk of the Court specifying which instalments have been paid, the dates of such payments and the arrears which you believe to be outstanding.
2. When corresponding with the Clerk of the Court you must quote the Cause No. specified on the top right hand corner of this application.
3. The Courts Office at the Law Courts George Town is open between 10:00 a.m. and 4:00 p.m.
4. It is important that the Statement of Means form is completed fully and accurately. Even if you dispute the arrears outstanding, you must still complete the Statement of Means form, failing which you may be sent to prison.
5. *If you can no longer afford, for whatever reason, to pay the full amount due under the maintenance order, you may apply by summons to vary the terms of the order. Your summons must be accompanied by (a) an affidavit explaining why and how your financial circumstances have changed since the maintenance order was made and (b) a fully completed Statement of Means form.*

Attachment of Earnings Order (Maintenance Order) (O.50A, r.16)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [*state name*]

CAUSE NO.....OF 20..

BETWEEN

AND

Petitioner

Respondent

ATTACHMENT OF EARNINGS ORDER

To [*state name and address of employer*]

The Respondent, [*state name*], who is employed by you is in arrears under a maintenance order made by this Court and earnings are payable by you to him.

You are therefore ordered to make periodical deductions out of the Respondent's earnings in accordance with the Second Schedule of The Judicature Law (1995 Revision) until further notice.

For the purpose of calculating the deductions

- The normal deduction rate is \$ per week/month
- The protected earnings rate is \$ per week/month

And you are ordered to pay the sums deducted into the Court Funds Office, Government Administration Building, George Town, at weekly/monthly intervals.

Dated this day of , 20 .

Filed this day of , 20 .

JUDGE OF THE GRAND COURT

DIRECTIONS FOR EMPLOYERS

1. The normal deduction rate is the amount which you must normally deduct from your employee's wages or salary each week or each month, as the case may be.
2. The protected earnings rate is the minimum net pay which must be left to the employee each week or month, as the case may be.
3. If the employee's wages or salary is reduced, for example because the employee has been ill or the employee was unable to work his usual amount of overtime, with the result that the net take home pay would be reduced below the protected earnings rate if the normal deduction is made, you must deduct a lower amount so that the employee always takes home at least the amount of the protected earnings rate.
4. All payments must be made by cheque payable to the "Accountant General of the Grand Court" and must be accompanied by completed lodgment and receipt forms taken from the book of blank pre-printed carbonised forms delivered with this Order. The receipt form will be signed by an authorised officer and returned to you to acknowledge receipt of your payment. Payments may be hand delivered or posted to the Court Funds Office, Government Administration Building, George Town.
5. Deductions made from an employee's remuneration must be recorded in the employer's work account maintained in accordance with Section 30(1) of the Labour Law 1987, as amended, and the receipts issued by the Court Funds Office should be treated as part of the work account to be preserved for at least two years.

NOTES FOR GUIDANCE OF DEBTORS/EMPLOYEES

1. This is a copy of an Attachment of Earnings Order sent to your employer.
2. Your employer should give you a statement each month specifying the amount which has been deducted from your wages in accordance with this Order. If he fails to do so you have the right under Section 31 of the Labour Law 1987, as amended, to ask for such a statement.
3. If you change your employer you must notify the Clerk of the Court within 7 days giving the following details:
 - (a) the date on which your old employment terminated;
 - (b) the name and address of your new employer;
 - (c) the date on which your new employment commenced;
 - (d) your work permit number (if any); and
 - (e) *the average weekly or monthly amount of your new income including the basic salary, overtime payments, and other monetary benefits.*

Summons for Consolidated Attachment of Earnings Order (0.50A, r.18)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

[TITLE OF ACTION]

SUMMONS FOR
CONSOLIDATED ATTACHMENT OF EARNINGS ORDER

LET [*specify the names and addresses of the persons to whom the summons is addressed*] attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the ____ day of _____, 20__ upon an application by [*specify applicant's name*] for the following orders:

1. That this action be consolidated pursuant to GCR Order 4, rule 3, with [*specify details of the other actions*] for the purpose of making a consolidated Attachment of Earnings Order pursuant to GCR Order 50A, rule 18.
2. That the Attachment of Earnings Orders made in the said actions be discharged.
3. That a consolidated Attachment of Earnings Order be made specifying a normal deduction rate of \$ per week/month and the protected earnings rate of \$ per week/month.

Dated this day of , 20 .

[*Signature of Applicant's Attorney*]

TO: The Clerk of the Court

AND TO: [*List the names of all the Respondents*]

TIME ESTIMATE: The estimated length of the hearing of this summons is [*state time*].

This Summons was issued by [*name of Applicant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Applicant*].

Consolidated Attachment of Earnings Order (O.50A, r.17)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [state name] [in Chambers]

CAUSE NO.....OF 20..
(formerly Cause Nos. __ and __ of 20__)

[TITLE OF CONSOLIDATED PROCEEDING]

CONSOLIDATED ATTACHMENT OF EARNINGS ORDER

To the Judgment Debtor's Employer

Cause Nos. __ and __ of 20__ are hereby consolidated and re-named under Consolidated Cause No. __ of 20__.

The Attachment of Earnings Orders made on _____ and on _____ in Cause Nos. __ and __ of 20__ respectively are hereby discharged and a consolidated Attachment of Earnings Order is hereby made.

With effect from the date of this consolidated Order, **You are therefore ordered** to make deductions out of the Judgment Debtor's earnings until the total sum of \$[state amount] (including principal and post-judgment interest), has been paid.

For the purpose of calculating the consolidated deductions

- The normal deduction rate is \$ _____ per week/month
- The protected earnings rate is \$ _____ per week/month

And you are ordered to pay the sums deducted into the Court Funds Office, Government Administration Building, George Town, at weekly/monthly intervals.

Dated this day of , 20 .
Filed this day of , 20 .

JUDGE OF THE GRAND COURT

DIRECTIONS FOR EMPLOYERS

1. The normal deduction rate is the amount which you must normally deduct from your employee's wages or salary each week or each month, as the case may be.
2. The protected earnings rate is the minimum net pay which must be left to the employee each week or month, as the case may be.
3. If the employee's wages or salary is reduced, for example because the employee has been ill or the employee was unable to work his usual amount of overtime, with the result that the net take home pay would be reduced below the protected earnings rate if the normal deduction is made, you must deduct a lower amount so that the employee always takes home at least the amount of the protected earnings rate.
4. All payments must be made by cheque payable to the "Accountant General of the Grand Court" and must be accompanied by completed lodgment and receipt forms taken from the book of blank pre-printed carbonised forms delivered with this Order. The receipt form will be signed by an authorised officer and returned to you to acknowledge receipt of your payment. Payments may be hand delivered or posted to the Court Funds Office, Government Administration Building, George Town.
5. Deductions made from an employee's remuneration must be recorded in the employer's work account maintained in accordance with Section 30(1) of the Labour Law 1987, as amended, and the receipts issued by the Court Funds Office should be treated as part of the work account to be preserved for at least two years.

NOTES FOR GUIDANCE OF DEBTORS/EMPLOYEES

1. This is a copy of an Attachment of Earnings Order sent to your employer.
2. The instalments deductible under this Order include post-judgment interest calculated in accordance with Practice Direction 2/95.
3. Your employer should give you a statement each month specifying the amount which has been deducted from your wages in accordance with this Order. If he fails to do so you have the right under Section 31 of the Labour Law 1987, as amended, to ask for such a statement.
4. If you change your employer you must notify the Clerk of the Court within 7 days giving the following details:
 - (a) the date on which your old employment terminated;
 - (b) the name and address of your new employer;
 - (c) the date on which your new employment commenced;
 - (d) your work permit number (if any); and
 - (e) the average weekly or monthly amount of your new income including the basic salary, overtime payments, and other monetary benefits.

No. 48
Notice of Motion for Committal (General) (0.52, r.4)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

[TITLE OF ACTION]

NOTICE OF MOTION

TAKE NOTICE that Mr. Justice [*state name*] sitting at the Law Courts, George Town, on the day of _____, 20 at _____ o'clock or so soon thereafter as Counsel can be heard on behalf of [*state applicant's name*] will be moved by Counsel for [*state Applicant's name*] for an order pursuant to Part I of GCR Order 52 that [*state Respondent's name*] be committed to prison on the grounds that the Respondent is in breach of the Order made by this Court on [*state date*] whereby the Respondent was required [*summarise relevant parts of the Order*].

And for an order that the Respondent pay the costs of this application.

AND FURTHER TAKE NOTICE that the grounds of this application are [*state full particulars of the grounds relied upon*].

AND FURTHER TAKE NOTICE that the Applicant intends to rely upon the affidavit of [*state deponent's name*] sworn on [*state date*] in support of this application, a copy of which is served herewith.

Dated the _____ day of _____, 20_____

[*Signature of Applicant's Attorney*]

TO: _____ The Clerk of the Court

AND TO: [*state name of Respondent*]

TIME ESTIMATE: The estimated length of the hearing of this motion is [*state time*].

This Notice of Motion is served by [*name of Applicant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Applicant*].

No. 49
Warrant of Committal (0.52, r.10)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

[TITLE OF ACTION]

WARRANT OF COMMITTAL

To the Bailiff, every Constable and the Director of the Prison

Whereas on the ____ day of _____, 20__, the Court ordered that [state name] be committed to prison for a term of [*state length of sentence*] weeks;

You are therefore required to arrest the said [*state name*] and deliver him to the director of the prison who is directed to receive him and safely keep him in prison for a term of [*state length of sentence*] from the date of arrest under this Warrant or until he shall be sooner discharged by order of the Court.

Dated the day of 20 .

JUDGE OF THE GRAND COURT

Notice of Motion for Committal (Non-Payment of Debt) (0.52, r.12)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

[TITLE OF ACTION]

NOTICE OF MOTION

TAKE NOTICE that you are required to attend before Mr. Justice [*state name*] at the Law Courts, George Town, on the day of , 20 at o'clock or so soon thereafter as Counsel can be heard on behalf of [*state applicant's name*] for an order pursuant to Part II of GCR Order 52 that you be committed to prison on the grounds that you are in default of payment of the following sums due under a judgment [*or order*] made on the day of , 20 .

Particulars of amount due

Principal sum	\$
Pre-judgment interest	\$
Costs	\$ _____
Total	\$ _____
Less amount paid	\$
Post-judgment interest	\$ _____
Net amount due	\$ _____

AND FURTHER TAKE NOTICE that you are required to complete the accompanying statement of means form and post or hand deliver it to the Clerk of the Court at the Courts Office, P.O. Box 495G, George Town, Grand Cayman, to arrive within 8 days of service of this Notice of Motion, including the day of service.

AND FURTHER TAKE NOTICE that if you pay the full amount specified above to the Accountant General of the Grand Court at the Court Funds Office, Government Administration Building, George Town, Grand Cayman within 8 days of service of this Notice of Motion, including the day of service, you need not attend at Court or complete the accompanying statement of means form.

AND FURTHER TAKE NOTICE that if you fail to pay the full amount specified above and fail to attend at Court at the time and on the day specified above, a warrant will be issued for your arrest.

Dated the day of , 20

[Signature of Applicant's Attorney]

TO: The Clerk of the Court

AND TO: *[state full name and address of judgment debtor]*

This Notice of Motion was issued by *[name of Applicant or his Attorney]* whose address for service is *[state address within the jurisdiction]* *[Attorney for the Applicant]*.

No. 51
Order for Committal (Non-Payment of Debt) (0.52, r.15)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [*state name*]

CAUSE NO.....OF 20..

[TITLE OF ACTION]

ORDER FOR COMMITTAL

UPON HEARING Counsel for the Applicant/Judgment Creditor upon his Notice of Motion dated the day of , 20__

AND UPON reading the Applicant/Judgment Creditor's affidavit filed on the day of , 20__
AND UPON reading the Judgment Debtor's statement of means and taking his oral evidence

AND UPON the Court being satisfied of the matters stated in Section 30(1) of the Judicature Law (1995 Revision)

IT IS ORDERED that:

1. The Judgment Debtor be committed to prison for a term of ____ weeks.
2. The Judgment Debtor shall be discharged from prison if he pays the sum of \$[*state amount*] (including the amount of costs referred to in paragraph 3. below) before expiry of the said term of imprisonment.
3. The Judgment Debtor shall pay costs assessed at \$[*state amount*].

Dated this day of , 20__ .
Filed this day of , 20__ .

JUDGE OF THE GRAND COURT

This Order was filed by [*name of Applicant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Applicant*].

No. 51A
Suspended Order for Committal (Non-Payment of Debt) (0.52, r.15)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice [*state name*]

CAUSE NO.....OF 20..

[TITLE OF ACTION]

SUSPENDED ORDER FOR COMMITTAL

UPON HEARING Counsel for the Applicant/Judgment Creditor upon his Notice of Motion dated the day of , 20__

AND UPON reading the Applicant/Judgment Creditor's affidavit filed on the day of , 20__
AND UPON reading the Judgment Debtor's statement of means and taking his oral evidence

AND UPON the Court being satisfied of the matters stated in Section 30(1) of the Judicature Law (1995 Revision)

IT IS ORDERED that:

1. The Judgment Debtor be committed to prison for a term of _____ weeks, suspended on terms that he pay the sum of \$[*state amount*] (including the amount of costs referred to in paragraph 2 below) into Court no later than close of business on [*state date*].
2. The Judgment Debtor shall pay costs assessed at \$[*state amount*].

Dated this day of , 20__ .
Filed this day of , 20__ .

JUDGE OF THE GRAND COURT

NOTE No warrant of committal shall be issued on the basis of this Order alone. If the Judgment Debtor fails to comply with the conditions specified in paragraph 1 of this Order, the Applicant/Judgment Creditor may apply ex parte by motion for the issue of a warrant of committal.

This Order was filed by [*name of Applicant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Applicant*].

No. 52

Warrant of Discharge (0.52, r.16)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

[TITLE OF ACTION]

WARRANT OF DISCHARGE

To the Director of the Prison:

Whereas [*state name*] was committed to prison for a term of [*state length of sentence*] pursuant to an Order for Committal made on the day of , 20__ .

And Whereas the said [*state name*] has paid the sum of \$[*state amount*] specified in the said Order for Committal and is therefore entitled pursuant to GCR Order 52, rule 16 to be discharged from prison

You are therefore directed to release and discharge the said [*state name*] forthwith notwithstanding that the said term has not yet expired.

Dated the day of , 20__ .

JUDGE OF THE GRAND COURT

No. 53

Application for Leave to Apply for Judicial Review (0.53, r.3)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

APPLICATION FOR LEAVE TO APPLY FOR JUDICIAL REVIEW

To the Clerk of the Court, Law Courts, George Town, Grand Cayman	
Name, address and description of applicant(s)	
Judgment, order, decision or other proceeding in respect of which relief is sought	
Relief Sought	
Name and address of applicant's attorneys, or, if no attorneys acting, the address for service of the applicant	
Signed	Dated

GROUND ON WHICH RELIEF IS SOUGHT

(If there has been any delay, include reasons here)

Note - Grounds must be supported by an affidavit which verifies the facts relied on.

No. 54

Notice of Intention to Renew Application for Judicial Review (0.53, r.3)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

NOTICE OF INTENTION TO RENEW APPLICATION FOR JUDICIAL REVIEW

To the Clerk of the Court, Law Courts, George Town, Grand Cayman

The applicant intends to renew his application for leave to apply for Judicial Review.

Signed:

Date:

Received in the Courts Office

NOTE: This notice must be lodged in the Courts Office within 10 days of the service on the applicant or his attorney of notice that the original application for leave has been refused.

No. 55
Writ of Habeus Corpus Ad Subjiciendum (0.54, r.10)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN: PLAINTIFF

AND: DEFENDANT

WRIT OF HABEUS CORPUS AD SUBJICIENDUM

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith

TO: The Director of the Prison

WE COMMAND you that you have in the Grand Court [*or before a Judge in Chambers*] at the Law Courts, George Town, Grand Cayman, on the day and at the time specified in the notice served with this writ, the body of [*state name*] being taken and detained under your custody as is said, together with the day and cause of his being taken and detained, by whatsoever name he may be called therein, that the Court [*or Judge*] may then and there examine and determine whether such cause is legal, and have you there then this writ.

WITNESS The Hon. Mr. [*state name*], The Chief Justice of the Cayman Islands the day of
, 20__ .

Indorsement

By order of the Court [*or of Mr. Justice (state name)*].

Dated the day of 20__ .

[*Signature of Plaintiff's Attorney*]

This Writ was issued by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Plaintiff*].

No. 56
Order under the Evidence (Proceedings in Other Jurisdictions)
(Cayman Islands) (Order 1978 (0.70, r.2))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice *[state name]* *[in Chambers]*

CAUSE NO: OF 20__

In the Matter of the Evidence (Proceedings in Other Jurisdictions) (Cayman Islands) Order 1978

And in the Matter of a civil *[or commercial or criminal]* proceeding now pending *[or contemplated]* before *[description of court or tribunal]* entitled as follows:

[Give title of proceedings in foreign court or tribunal or state in proceedings contemplated between plaintiff and defendant].

ORDER

UPON reading the affidavit of *[state name of person]* filed the day of 20__ and the request exhibited thereto

AND being satisfied that proceedings are pending *[or contemplated]* in the *[state foreign court or tribunal and its address]* and that such court wishes to obtain the testimony of *[state name of witness]*.

IT IS ORDERED that the said witness do attend before *[name and address of examiner]* who is hereby appointed examiner herein, at *[state place, date and time of examination]*, or such other day and time as the said examiner may appoint, and do there submit to be examined *[upon oath or affirmation]*, touching the testimony so required as aforesaid and do then and there produce *[description of documents, if any, to be produced]*.

IT IS ALSO ORDERED that the said examiner do take down or cause to be taken down in writing the evidence of the said witness according to the rules and practice of the Grand Court pertaining to the examination and cross-examination of witnesses *[or as may be otherwise directed]*, and do request the said witness *[or each and every witness]* to sign his deposition in the said examiner's presence and do sign the depositions taken in pursuance of this Order, and when so completed do send them, together with this order and the request, to the Clerk of the Court for transmission to the court desiring the evidence of the said witness.

Dated this day of 20__ .

Filed this day of 20__ .

JUDGE OF THE GRAND COURT

This Order was filed by *[name of Plaintiff or his Attorney]* whose address for service is *[state address within the jurisdiction]* *[Attorney for the Plaintiff]*.

No. 57
Originating Application (0.85, r.8(2))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

In the Matter of Section 45 of the Trusts Law (Revised)

And in the Matter of GCR Order 85, rule 8

And in the Matter of [*describe estate or trust*]

ORIGINATING APPLICATION

We, [*state applicant's name and address*], being the present [*executors, administrators or trustees, as the case may be*] of the [*describe estate or trust*] hereby apply to a Judge of the Grand Court for his written [*opinion, advice or direction as the case may be*] upon the questions respecting the management or administration of the said [*estate or trust as the case may be*] which are defined in paragraph ___ of the written submission filed herewith.

This application is supported by -

1. The written submission of [*state attorney's name*] dated the ___ day of _____, 20__; and
2. An agreed statement of facts signed by or on behalf of all the [*executors, administrators or trustees, as the case may be*] and all the adult beneficiaries of the said [*estate or trust*].

OR

An affidavit sworn by [*state deponent's name*] on the ___ day of _____, 20__ on behalf of the [*executors, administrators or trustees, as the case may be*].

Dated this ___ day of _____, 20__

[*Signature of Applicant's Attorney*]

This Originating Application was filed by [*name of Applicant or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Applicant*].

No. 58
Election Petition (0.93, r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.....OF 20..

In the Matter of The Elections Law 1983, as amended

And in the Matter of an Election for [state electoral district]
held on the day of, 20...

ELECTION PETITION

TO: The Grand Court

The Petition of A.B. of[and C.D. of] shows:-

1. That the Petitioner A.B. is a person who voted [*or had a right to vote*] at the above election [*or was a candidate at the above election*] [*or in the case of a parliamentary election claims to have had a right to be elected or returned at the above election*] and the Petitioner C.D. [*state similarly the capacity in which he presents the petition*].
2. That the election was held on the day of , 20__ , when E.F., G.H. and J.K were candidates, and on the day of , 20__ , the returning officer returned E.F. and G.H. as being duly elected.
3. That [*state the facts on which the Petitioner(s) rely(ies)*].

The Petitioner(s) therefore pray(s):-

- (1) That it may be determined that the said E.F. was not duly elected [*or returned*] and that the election was void [*or that the said J.K. was duly elected and ought to have been returned*] [*or as the case may be*].
- (2) That the Petitioner(s) may have such further or other relief as may be just.

Dated this day of , 20__ .

[*Signature of Petitioner or Petitioner's Attorney*]

It is proposed to serve a copy of this Petition on:-

- (1) [*state names of respondent(s)*]
- (2) [*state name*], the returning officer for the [] electoral district
- (3) the Attorney General

This Petition was issued by [*name of Petitioner or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Petitioner*].

Ex Parte Originating Summons – Section 4 Application (0.103, r.2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

In the Matter of the Confidential Relationships (Preservation) Law (1995 Revision)

And in the Matter of [*describe the proceeding to which the application relates*]

EX PARTE ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the ___ day of ___, 20__ at [*state precise time*] on the hearing of an application by [*state name and address*] who [*is required by (describe order or subpoena)*] [*intends*] for direction pursuant to Section 3A of the above-mentioned Law.

The Applicant [*is required by (describe order or subpoena)*] [*intends*] to give in evidence confidential information belonging to [*identify the person(s) to whom the applicant owes a duty of confidentiality*] by means of [*oral testimony or discovery of document or written answers to interrogatories, as the case may be*] and seeks directions that [*set out the directions sought*].

Dated this ___ day of ___, 20__ .

[*Signature of Applicant's Attorney*]

TIME ESTIMATE: The estimated length of the hearing of this summons is [*state time*].

This Originating Summons was issued by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*].

No. 61
Summons for Third Party Directions (0.16, r.4)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT
THIRD PARTY

SUMMONS FOR THIRD PARTY DIRECTIONS

LET ALL PARTIES concerned attend before the Judge in the Chambers at the Law Courts, George Town on the day of 20__ , at o'clock on the hearing of an application on the part of [*state name of person*] for an order for third party directions, as follows:

1. The Defendant serve a statement of his claim on the said third party within [*state time*] days, who shall plead thereto within [*state number of days*] thereafter.
2. The Defendant and Third Party do respectively exchange list of documents within [*14*] days after these pleadings are closed [*and file an affidavit verifying such list within the same period*].
3. There be inspection of documents within [*state number of days*] days thereafter.
4. The Third Party be at liberty to appear at the trial of this action, and take such part as the Judge shall direct, and be bound by the result of the trial.
5. The question of the liability of the said third party to indemnify the Defendant be tried at the trial of this action, but subsequent thereto.
6. [*Set out any other directions sought*].
7. The costs of this application be costs in the cause and in the third party proceedings.

Dated the day of 20__ .

[*Signature of Third Party's Attorney*]

TIME ESTIMATE: The estimated length of the hearing of this summons is [*state time*].

This Summons was issued by [*name of Third Party or his Attorney*] whose address for service is [*state address within the jurisdiction*] [*Attorney for the Third Party*].

No. 62
Order for Third Party Directions (0.16, r.4)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

The Hon. Mr. Justice *[state name]* *[in Chambers]*

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT
THIRD PARTY

ORDER FOR THIRD PARTY DIRECTIONS

UPON HEARING Counsel for the Plaintiff, Defendant and the Third Party *[parties]*,

IT IS ORDERED that:

1. The Defendant serve a statement of claim on the said Third Party within *[state number of days]*, who shall plead thereto within *[state number of days]* days thereafter.
2. The Defendant and Third Party do respectively exchange list of documents within *[14]* days after these pleadings are closed stating what documents are or have been in their possession, custody or power relating to any matter in question in the third party proceedings *[and file an affidavit verifying such list]*.
3. There be inspection of documents within *[7]* days thereafter.
4. The said third party be at liberty to appear at the trial of this action, and take such part as the Judge shall direct, and be bound by the result of the trial.
5. The question of the liability of the said third party to indemnify the Defendant be tried at the trial of this action, but subsequent thereto.
6. The costs of this application be *[costs in the cause and in the third party proceedings]*.

Dated the day of 20__ .
Filed the day of 20__ .

JUDGE OF THE GRAND COURT

This Order was filed by *[name of Third Party or his Attorney]* whose address for service is *[state address within the jurisdiction]* *[Attorney for the Third Party]*.

No. 63
Notice to Fix Trial Date (0.34, r.3)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

NOTICE TO FIX TRIAL DATE

TAKE NOTICE that [*state name of party applying*] will apply to the Clerk of the Court on the [*state date*] at [*state time of appointment*] to fix a date for the trial of the action.

The [*state name of party applying*]'s Counsel is [*state name*] whose address, telephone and facsimile numbers are as follows:

The parties' agreed statement containing a reasoned estimate of the length of the trial is annexed hereto. [*Note - If an agreed statement is not annexed it must be delivered to the Clerk of the Court not less than 3 days prior to the appointment. If the statement is not agreed, the Applicant must deliver his own statement*].

Dated this day of 20__ .

[*Signature of Applicant's Attorney*]

TO: The Clerk of the Court

AND TO: [*state name of all other parties on whom the application must be served*]

This Notice was issued by [*name of Applicant or his Attorney*] whose address for service is [*state address within the jurisdiction*].

No. 64
Mareva Injunction (O.29,r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

**INJUNCTION PROHIBITING
DISPOSAL OF ASSETS IN THE CAYMAN ISLANDS**

IMPORTANT:

NOTICE TO THE DEFENDANT

- (1) *This Order prohibits you from dealing with your assets up to the amount stated. The Order is subject to the exceptions at the end of the Order. You should read it all carefully. You are advised to consult an attorney as soon as possible. You have a right to ask the Court to vary or discharge this Order.*
- (2) *If you disobey this Order you will be guilty of contempt of Court and may be [sent to prison or] fined or your assets may be seized.*

****Delete the words "sent to prison" in the case of a corporate Defendant. This notice is not a substitute for the indorsement of a penal notice.***

THE ORDER

An application was made today [date] by Counsel for [name], the Plaintiff to Mr. Justice []. Upon hearing Counsel for the Plaintiff and Counsel for the Defendant, Mr. Justice [] heard the application and read the affidavits listed in Schedule 2 at the end of this Order.

As a result of the application IT IS ORDERED that:

1. DISPOSAL OF ASSETS

- (1) The Defendant must not remove from the Cayman Islands or in any way dispose of or deal with or diminish the value of any of his assets which are in the Cayman Islands whether in his own name or not and whether solely or jointly owned up to the value of \$[]. This prohibition includes the following assets in particular:

- (a) the property as [] or the net sale money after payment of any mortgages or charges if it has been sold;

[If the injunction is intended to relate to land, it should specify the registered title number and application should normally be made for an inhibition under the Registered Land Law.]

- (b) the property and assets of the Defendant's business known as [] (or carried on at []) or the sale money if any of them have been sold; and

- (c) any money in the accounts numbered [] at [].

- (2) If the total unincumbered value of the Defendant's assets in the Cayman Islands exceeds \$[] the Defendant may remove any of those assets from the Cayman Islands or may dispose of or deal with them so long as the total unincumbered value of his assets still in the Cayman Islands remains above \$[].

2. DISCLOSURE OF INFORMATION

The Defendant must inform the Plaintiff in writing at once of all his assets in the Cayman Islands whether in his own name or not and whether solely or jointly owned, giving the value, location and details of all such assets. The information must be confirmed in an Affidavit which must be served on the Plaintiff's attorneys within [] days after this Order has been served on the Defendant.

3. EXCEPTIONS TO THIS ORDER

- (1) This Order does not prohibit the Defendant from spending \$[] a week towards his ordinary living expenses [*and \$[] a week towards his ordinary and proper business expenses*] and also \$[] a week [*or a reasonable sum*] on legal advice and representation. But before spending any money the Defendant must tell the Plaintiff's attorneys where the money is to come from.

[(2) This Order does not prohibit the Defendant from dealing with or disposing of any of his assets in the ordinary and proper course of business].

- (3) The Defendant may agree with the Plaintiff's attorneys that the above spending limits should be increased or that this Order should be varied in any other respect but any such agreement must be in writing.

4. EFFECT OF THIS ORDER

- (1) A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

- (2) A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees, or agents, or in any other way.

5. THIRD PARTIES

- (1) Effect of this Order - It is a contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of the Order. Any person doing so may be sent to prison, fined, or have his assets seized.
- (2) Set off by Banks - This injunction does not prevent any bank from exercising any right of set off it may have in respect of any facility which it gave to the Defendant before it was notified of the Order.
- (3) Withdrawals by the Defendant - No bank need enquire as to the application or proposed application of any money withdrawn by the Defendant if the withdrawal appears to be permitted by this Order.

[6. SERVICE OUT OF THE JURISDICTION AND SUBSTITUTED SERVICE

- (1) *The Plaintiff may serve the Writ of Summons on the Defendant at [] by [].*
- (2) *If the Defendant wishes to defend the Action he must acknowledge service within [] days of being served with the Writ of Summons.]*

7. UNDERTAKINGS

The Plaintiff gives to the Court the undertakings set out in Schedule 1 to this Order.

8. DURATION OF THIS ORDER

This Order will remain in force [up to and including [] ("the Return Date"), unless before then it is varied or discharged by a further Order of the Court. The application in which this Order is made shall come back to the Court for further hearing on the Return Date.] [until after judgment in this Action unless before then it is varied or discharged by further Order of the Court].

9. VARIATION OR DISCHARGE OF THIS ORDER

The Defendant (or anyone notified of this Order) may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person), but anyone wishing to do so must first inform the Plaintiff's attorneys in writing on not less than [] days notice.

10. NAME AND ADDRESS OF PLAINTIFF'S ATTORNEYS

The Plaintiff's attorneys are:

[Name], [Address], [Telephone]

11. INTERPRETATION OF THIS ORDER

- (1) In this Order "he", "him" or "his" include "she" or "her" and "it" or "its".
- (2) Where there are two or more Defendants then (unless the context indicates differently)
 - (a) references to "the Defendants" mean both or all of them;
 - (b) an Order requiring "the Defendants" to do or not to do anything requires each Defendant to do or not to do it;
 - (c) a requirement relating to service of this Order, or of any legal proceedings, on "the Defendants" means on each of them.

SCHEDULE 1
Undertakings given to the Court by the Plaintiff

- (1) If the Court later finds that this Order has caused loss to the Defendant, and decides that the Defendant should be compensated for that loss, the Plaintiff will comply with any Order the Court may make [*but so that this undertaking is limited to the property and assets in the beneficial ownership of the Plaintiff in the hands of the liquidator*].
- (2) As soon as practicable the Plaintiff will [*issue and*] serve on the Defendant [*a*] [*the*] Writ of Summons [*in the form of the draft writ produced to the Court*] [*claiming appropriate relief*] together with this Order.
- (3) The Plaintiff will cause an affidavit to be sworn and filed [*substantially in the terms of the draft affidavit produced to the Court*] [*confirming the substance of what was said to the Court by the Plaintiff's counsel/attorneys*].
- (4) As soon as practicable the Plaintiff will serve on the Defendant a [*notice of motion*] [*summons*] for the Return Date together with a copy of the affidavits and exhibits containing the evidence relied on by the Plaintiff.
- (5) Anyone notified of this Order will be given a copy of it by the Plaintiff's attorneys.
- (6) The Plaintiff will pay the reasonable costs of anyone other than the Defendant which have been incurred as a result of this Order including the costs of ascertaining whether that person holds any of the Defendant's assets and that if the Court later finds that this Order has caused such a person loss, and decides that the person should be compensated for that loss, the Plaintiff will comply with any Order the Court may make [*but limited in like manner as undertaking 1*] above.

SCHEDULE 2
Affidavit(s)

The Judge read the following affidavits before making this Order:

- (1)
- (2)

DATED this day of 20__
FILED this day of 20__

JUDGE OF THE GRAND COURT

This Order was filed by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*].

Mareva Injunction (O.29,r.1)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

**INJUNCTION PROHIBITING
DISPOSAL OF ASSETS WORLDWIDE**

IMPORTANT:

NOTICE TO THE DEFENDANT

- (1) This Order prohibits you from dealing with your assets up to the amount stated. The Order is subject to the exceptions at the end of the Order. You should read it all carefully. You are advised to consult an attorney as soon as possible. You have a right to ask the Court to vary or discharge this Order.
- (2) If you disobey this Order you will be guilty of contempt of Court and may be [*sent to prison or*] fined or your assets may be seized.

**Delete the words "sent to prison" in the case of a corporate Defendant. This notice is not a substitute for the indorsement of a penal notice.*

THE ORDER

An application was made today [*date*] by Counsel for [*name*], the Plaintiff to Mr. Justice []. Upon hearing Counsel for the Plaintiff and Counsel for the Defendant, Mr. Justice [] heard the application and read the affidavits listed in Schedule 2 at the end of this Order.

As a result of the application IT IS ORDERED that:

1. DISPOSAL OF ASSETS

- (1) The Defendant must not (i) remove from the Cayman Islands any of his assets which are in the Cayman Islands whether in his own name or not and whether solely or jointly owned up to the value of \$[] or (ii) in any way dispose of or deal with or diminish the value of any of his assets whether they are in or outside the Cayman Islands whether in his own name or not and whether solely or jointly owned up to the same value. This prohibition includes the following assets in particular:

- (a) the property known as [] or the net sale money after payment of any mortgages or charges if it has been sold;

[If the injunction is intended to relate to land, it should specify the registered title number and application should normally be made for an inhibition under the Registered Land Law.]

- (b) the property and assets of the Defendant's business known as [] (or carried on at []) or the sale money if any of them have been sold; and

- (c) any money in the accounts numbered [] at [].

- (2) If the total unincumbered value of the Defendant's assets in the Cayman Islands exceeds \$[] the Defendant may remove any of those assets from the Cayman Islands or may dispose of or deal with them so long as the total unincumbered value of his assets still in the Cayman Islands remains above \$[].

If the total unincumbered value of the Defendant's assets in the Cayman Islands does not exceed \$[], the Defendant must not remove any of those assets from the Cayman Islands and must not dispose of or deal with any of them, but if he has other assets outside the Cayman Islands the Defendant may dispose of or deal with those assets so long as the total unincumbered value of all his assets whether in or outside the Cayman Islands remains above \$[].

2. DISCLOSURE OF INFORMATION

- (1) The Defendant must inform the Plaintiff in writing at once of all his assets whether in or outside the Cayman Islands and whether in his own name or not and whether solely or jointly owned, giving the value, location and details of all such assets.
- (2) The information must be confirmed in an affidavit which must be served on the Plaintiff's attorneys within [] days after this Order has been served on the Defendant.

3. EXCEPTIONS TO THIS ORDER

- (1) This Order does not prohibit the Defendant from spending \$[] a week towards his ordinary living expenses [*and \$[] a week towards his ordinary and proper business expenses*] and also \$[] a week [*or a reasonable sum*] on legal advice and representation. But before spending any money the Defendant must tell the Plaintiff's attorneys where the money is to come from.

[(2) This Order does not prohibit the Defendant from dealing with or disposing of any of his assets in the ordinary and proper course of business].

- (3) The Defendant may agree with the Plaintiff's attorneys that the above spending limits should be increased or that this Order should be varied in any other respect but any such agreement must be in writing.

4. EFFECT OF THIS ORDER

- (1) A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- (2) A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees, or agents, or in any other way.

5. THIRD PARTIES

- (1) Effect of this Order - It is a contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of the Order. Any person doing so may be sent to prison, fined, or have his assets seized.
- (2) Effect of this Order outside the Cayman Islands - The terms of this Order do not affect or concern anyone outside the jurisdiction of this Court until it is declared enforceable or is enforced by a court in the relevant country and then they are to affect him only to the extent they have been declared enforceable or have been enforced UNLESS such person is:
 - (a) a person to whom this Order is addressed or an officer or an agent appointed by power of attorney of such a person; or
 - (b) a person who is subject to the jurisdiction of this Court and (i) has been given written notice of this Order at his residence or place of business within the jurisdiction of this Court and (ii) is able to prevent acts or omissions outside the jurisdiction of this Court which constitute or assist in a breach of the terms of this Order.
- (3) Set off by Banks - This injunction does not prevent any bank from exercising any right of set off it may have in respect of any facility which it gave to the Defendant before it was notified of the Order.
- (4) Withdrawals by the Defendant - No bank need enquire as to the application or proposed application of any money withdrawn by the Defendant if the withdrawal appears to be permitted by this Order.

[6. SERVICE OUT OF THE JURISDICTION AND SUBSTITUTED SERVICE

- (1) *The Plaintiff may serve the Writ of Summons on the Defendant at by .*
- (2) *If the Defendant wishes to defend the Action he must acknowledge service within [] days of being served with the Writ of Summons.]*

7. UNDERTAKINGS

The Plaintiff gives to the Court the undertakings set out in Schedule 1 to this Order.

8. DURATION OF THIS ORDER

This Order will remain in force [*up to and including* ("the Return Date"), *unless before then it is varied or discharged by a further Order of the Court. The application in which this Order is made shall come back to the Court for further hearing on the Return Date.*] [*until after judgment in this Action unless before then it is varied or discharged by further Order of the Court*].

9. VARIATION OR DISCHARGE OF THIS ORDER

The Defendant (or anyone notified of this Order) may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person), but anyone wishing to do so must first inform the Plaintiff's attorneys in writing on not less than [] days notice.

10. NAME AND ADDRESS OF PLAINTIFF'S ATTORNEYS

The Plaintiff's attorneys are:

[*Name*], [*Address*], [*Telephone*]

11. INTERPRETATION OF THIS ORDER

- (1) In this Order "he", "him" or "his" include "she" or "her" and "it" or "its".
- (2) Where there are two or more Defendants then (unless the context indicates differently) (a) references to "the Defendants" mean both or all of them; (b) an Order requiring "the Defendants" to do or not to do anything requires each Defendant to do or not to do it; (c) a requirement relating to service of this Order, or of any legal proceedings, on "the Defendants" means on each of them.

SCHEDULE 1

Undertakings given to the Court by the Plaintiff

- (1) If the Court later finds that this Order has caused loss to the Defendant, and decides that the Defendant should be compensated for that loss, the Plaintiff will comply with any Order the Court may make [*but so that this undertaking is limited to the property and assets in the beneficial ownership of the Plaintiff in the hands of the liquidator*].
- (2) As soon as practicable the Plaintiff will [*issue and*] serve on the Defendant [**a**] [**the**] Writ of Summons [*in the form of the draft writ produced to the Court*] [*claiming appropriate relief*] together with this Order.
- (3) The Plaintiff will cause an affidavit to be sworn and filed [*substantially in the terms of the draft affidavit produced to the Court*] [*confirming the substance of what was said to the Court by the Plaintiff's counsel/attorneys*].
- (4) As soon as practicable the Plaintiff will serve on the Defendant a [*notice of motion*] [*summons*] for the Return Date together with a copy of the affidavits and exhibits containing the evidence relied on by the Plaintiff.
- (5) Anyone notified of this Order will be given a copy of it by the Plaintiff's attorneys.

- (6) The Plaintiff will pay the reasonable costs of anyone other than the Defendant which have been incurred as a result of this Order including the costs of ascertaining whether that person holds any of the Defendant's assets and that if the Court later finds that this Order has caused such a person loss, and decides that the person should be compensated for that loss, the Plaintiff will comply with any Order the Court may make [*but limited in like manner as undertaking 1*] above.
- (7) The Plaintiff will not without the leave of the Court begin proceedings against the Defendant in any other jurisdiction or use information obtained as a result of an Order of the Court in this jurisdiction for the purpose of civil or criminal proceedings in any other jurisdiction [*save that the Plaintiff (or its liquidator) may be at liberty commence civil proceedings in []*].
- (8) The Plaintiff will not without the leave of the Court seek to enforce this Order in any country outside the Cayman Islands [*or seek an Order of a similar nature including Orders conferring a charge or other security against the Defendant or the Defendant's assets*].

SCHEDULE 2
Affidavit(s)

The Judge read the following affidavits before making this Order:

- (1)
- (2)

DATED this day of 20__
FILED this day of 20__

JUDGE OF THE GRAND COURT

This Order was filed by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*].

Originating Application (O.102,r.18)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

IN THE MATTER OF SECTION 178 OF THE COMPANIES LAW
(1998 REVISION)

AND IN THE MATTER OF *[state name of company]*

ORIGINATING APPLICATION

Application is hereby made to the Clerk of the Court on behalf of *[state name of company]*
(registration no. _____) for an order that it be restored to the register of companies.

This application is made on the grounds set out in the affidavit of *[state name of deponent]*, a
[state whether the deponent is a shareholder, director or officer of the company] sworn on
[state date].

Dated this ___ day of _____.

[State name of applicant]

This Originating Application was filed by *[name of applicant or his attorney]*, whose address for
service is *[state address within the jurisdiction]*.

No. 67

Order (O.102,r.18)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

IN THE MATTER OF SECTION 178 OF THE COMPANIES LAW
(1998 REVISION)

AND IN THE MATTER OF *[state name of company]*

ORDER

UPON READING the Originating Application dated _____ and the supporting affidavit sworn by _____ on _____

IT IS ORDERED that:

1. *[state name of company]* (registration no. _____) shall be restored to the register of companies upon-
 - a. paying to the Registrar of Companies the sum of CI\$ _____ in respect of the reinstatement fee and outstanding annual return fees; and
 - b. filing with the Registrar of Companies a notice that its registered office shall henceforth be at *[state address]*.
2. notice of this Order shall be published in the Gazette.

DATED _____

Clerk of the Court

This Order was filed by *[name of applicant or his attorney]*, whose address for service is *[state address within the jurisdiction]*.

Petition (O.102,r.19)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

IN THE MATTER OF SECTIONS 94 AND 178 OF THE COMPANIES LAW
(1998 REVISION)

AND IN THE MATTER OF *[state name of company]*

PETITION

TO: The Grand Court of the Cayman Islands

The petition of *[state name and address of petitioner]* shows that:

1. *[state name of company]* (“the Company”) was incorporated and registered (registration no. _____) on *[state date]* under the Companies Law.
2. The last known registered office of the Company was at *[state address]*.
3. The Company was struck off the register of companies on *[state date]*.
4. The Governor in Council has consented to the presentation of this petition *[only applicable if the petition is presented more than two years after the date on which the Company was struck off the register of companies]*.
5. The amount of the reinstatement fee payable upon restoring the Company to the register of companies is CI\$_____.
6. *[Where the petitioner is a creditor]* The Company is indebted to your petitioner in the sum of *[state amount and give particulars of the circumstances in which the debt arose]*.

[In cases where the petitioner is a claimant]. Your petitioner has a claim against the Company for *[state the nature of the claim and the circumstances in which it arose]*.
7. In the circumstances, it is just and equitable that the Company be restored to the register of companies and wound up under the provisions of the Companies Law.

The petitioner therefore prays that:

1. the Company be restored to the register of companies;
2. the Company be wound up by the Court pursuant to the Companies Law;

3. *[state name]* of *[state address]* be appointed Official Liquidator of the Company;
4. such other order or directions may be made as the Court thinks fit.

DATED _____
SIGNED _____

It is intended to serve this Petition upon:

1. The Registrar of Companies
2. The Company at its last known registered office.

This Petition was filed by *[name of applicant or his attorney]*, whose address for service is *[state address within the jurisdiction]*.

No. 69

Order (O.102,r.19)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

Hon. Mr. Justice _____

CAUSE NO: OF 20__

IN THE MATTER OF SECTIONS 94 AND 178 OF THE COMPANIES LAW
(1998 REVISION)

AND IN THE MATTER OF *[state name of company]*

ORDER

UPON HEARING counsel for *[state name of petitioner]* upon his petition dated *[state date]*

AND UPON reading the affidavit of *[state name]* filed on behalf of the petitioner

AND UPON reading the affidavit of service of *[state name]*

IT IS ORDERED that:

1. *[state name of company]* (“the Company”) be restored to the register of companies upon payment of a reinstatement fee of CI\$_____.
2. The Company be wound up in accordance with the provisions of the Companies Law (1998 Revision).
3. *[state name]* of *[state address]* be appointed as Official Liquidator of the Company.
4. *[further orders and directions]*
5. The Official Liquidator shall publish notice of this Order in the Gazette.
6. The petitioner’s costs of and incidental to the petition shall be taxed and paid out of the assets of the Company.

DATED _____

FILED _____

Judge of the Grand Court

This Order was filed by *[name of petitioner or his attorney]*, whose address for service is *[state address within the jurisdiction]*.

No. 70
Order (0.102, r.20)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

HON. MR JUSTICE _____

CAUSE NO: OF 20__

In the Matter of Section 249 of the Companies Law (2001 Second Revision)

And In the Matter of rights attaching to bearer shares issued by
[*state name of company*] Limited

BETWEEN:

_____ Plaintiff
and -
_____ Defendant

ORDER

UPON hearing Counsel for the Plaintiff and Counsel for the Defendant company upon the Originating Summons dated [*state date*]

AND UPON reading the affidavit of [*state name*]

AND UPON the Court being satisfied that Bearer Certificate Number [*state identifying numbers*] representing [*state number of shares*] of [*state par value*] each (the "Shares") has been deposited with an [*authorised or recognised*] custodian.

IT IS ORDERED that the rights attaching to the Shares shall be restored with effect from the date of this order.

Dated the day of 2002
Filed the day of 2002

JUDGE OF THE GRAND COURT

This Judgment was filed by [*name of Plaintiff or his Attorney*] whose address for service is [*state address within the jurisdiction*].

APPENDIX II
PRESCRIBED FORMS (O.1, r.10)
COURTS FUNDS OFFICE

INDEX

101	Lodgment Schedule – Nominated Account
102	Lodgment Schedule – General Account
103	Request for Lodgment
104	Notice of Appropriation
105	Request for Lodgment (Trust Law)
201	Payment Schedule – Nominated Account
202	Payment Schedule – General Account
203	Request for Payment

LODGMET SCHEDULE - NOMINATED ACCOUNT

GCR FORM 101

CAUSE NO.				/	
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TITLE OF ACTION

Plaintiff
Defendant

Schedule pursuant to Order dated

--	--	--

We request the Accountant General of the Grand Court to receive into Court for lodgment to a Nominated Account designated in the matter of the above action the sum of

Amount in words	Figures

DATED this ___ day of _____, 20__

Signed _____

Payor's Name
Address

- NOTE:**
1. Payments may be made by cheque or banker's draft and must be made payable to the Accountant General of the Grand Court.
 2. Payments may be made in cash provided that it is delivered to the Court Funds Office and not sent by post.

COURT FUNDS OFFICE USE

Date received

Nominated Account number

Date funds transferred to a Nominated Account

Lodgment approved by:

LODGMENT SCHEDULE - GENERAL ACCOUNT

GCR FORM 102

CAUSE NO.				/	
-----------	--	--	--	---	--

TITLE OF ACTION

	Plaintiff
	Defendant

Schedule pursuant to Order dated

--	--	--

We request the Accountant General of the Grand Court to receive into Court for lodgment to the General Account for the credit of the above action the sum of

Amount in words	Figures

DATED this ___ day of _____, 20__

Signed _____

Payor's Name
Address

- NOTE:**
1. Payments may be made by cheque or banker's draft and must be made payable to the Accountant General of the Grand Court.
 2. Payments may be made in cash provided that it is delivered to the Court Funds Office and not sent by post.

COURT FUNDS OFFICE USE

Date received

Sub-account number

Lodgment approved by:

REQUEST FOR LODGMENT

GCR FORM 103

(O.22, r.1)

CAUSE NO.				/	
-----------	--	--	--	---	--

TITLE OF ACTION

	Plaintiff
	Defendant

We request the Accountant General of the Grand Court to receive into Court for lodgment to the General Account for the credit of the above action the sum of

Amount in words	Figures

The said sum is paid on behalf of

--

pursuant to GCR Order 22, rule 1 in satisfaction of the claim of

--

DATED this ____ day of _____, 20__

Signed _____

Defendant's Name
Address

- NOTE:**
1. Payments may be made by cheque or banker's draft and must be made payable to the Accountant General of the Grand Court.
 2. Payments may be made in cash provided that it is delivered to the Court Funds Office and not sent by post.

See Overleaf

COURT FUNDS OFFICE USE

Date received

Sub-account number

Lodgment approved by:

NOTE: If no notice of acceptance pursuant to GCR Order 22, rule 3 is received within 21 days the funds should be transferred to a Nominated Account designated in the matter of the action referred to overleaf.

Date funds transferred to a Nominated Account

Nominated Account number

Transfer approved by:

NOTICE OF APPROPRIATION

GCR FORM 104

(O.22, r.8)

CAUSE NO.				/	
-----------	--	--	--	---	--

TITLE OF ACTION

	Plaintiff
	Defendant

To the Accountant General of the Grand Court

Notice is hereby given that the sum of

Amount in words	Figures

is appropriated by

--

pursuant to GCR Order 22, rule 8 in satisfaction of

--

DATED this ___ day of _____, 20__

Signed _____

Attorney's Name
Address

See Overleaf

COURT FUNDS OFFICE USE

Date received

Sub-account/Nominated Account number

Approved by:

NOTE: The funds referred to in this notice of appropriation are deemed to have been paid into Court pursuant to GCR Order 22, rule 1 and may be accepted by a notice served in accordance with Order 22, rule 3, in which case the funds may be paid out in response to a request for payment in GCR Form 202.

REQUEST FOR LODGMENT
Pursuant to Section 66 of the Trust Law (Revised)

GCR FORM 105

(O.92, r.2)

Name of Trust

--

We, being the Trustees of the above mentioned Trust, request that the Accountant General of the Grand Court do receive into Court for lodgment to a Nominated Account the funds specified overleaf.

DATED this ____ day of _____, 20__

Signed _____

Trustee's Name
Address

- NOTES:**
1. This request must be supported by an affidavit specifying the information required by Order 92, rule 2.
 2. Payments may be made by cheque or banker's draft and must be made payable to the Accountant General of the Grand Court.
 3. Payments may be made in cash provided that it is delivered to the Court Funds Office and not sent by post.
 4. A trustee seeking to pay securities into Court must complete a transfer in favour of the Accountant General of the Grand Court.

COURT FUNDS OFFICE USE

Date received

Nominated Account number

Date funds transferred to a Nominated Account

Lodgment approved by:

Overleaf

Detail of Cash and Cheques

	PAYOR'S NAME	PAYOR'S ADDRESS	AMOUNT (words/figures)	FOR COURT FUNDS OFFICE USE CHEQUE CLEARED	
				DATE	AMOUNT
1					
2					
3					

Detail of Securities

	NOMINAL AMOUNT	DESCRIPTION OF SECURITY	FOR COURT FUNDS OFFICE USE REGISTRATION COMPLETED	
			DATE	NUMBER
1				
2				
3				

PAYMENT SCHEDULE - NOMINATED ACCOUNT

GCR FORM 201

CAUSE NO.				/	
-----------	--	--	--	---	--

Nominated Account Designation

--

The Accountant General of the Grand Court is directed to make the payment(s) specified overleaf.

Dated _____

Signed _____
AUTHORISED SIGNATURE

- (a) If the total amount is more than CI\$10,000, US\$12,000 or the equivalent in any other currency but less than CI\$100,000, US\$120,000 or the equivalent in any other currency, this schedule shall be signed by an 'A' signatory or any two 'B' signatories; and
- (b) If the total amount is more than CI\$100,000, US\$120,000 or the equivalent in any other currency, this schedule shall be signed by an 'A' signatory.

COURT FUNDS OFFICE USE

Date received

Nominated Account number

Date funds transferred to General Account

Payment approved by:

If Nominated Account is to be closed, date final statement received

See Overleaf

	PAYEE'S NAME	PAYEE'S ADDRESS	AMOUNT (words/figures)	FOR COURT FUNDS OFFICE USE CHEQUE ISSUED	
				DATE	NUMBER
1					
2					
3					

NOTES: The amount must be either -

- (a) a specific sum; or
- (b) "total principal and interest" in which case the account will be closed following payment.

PAYMENT SCHEDULE - GENERAL ACCOUNT

GCR FORM 202

CAUSE NO.				/	
-----------	--	--	--	---	--

TITLE OF ACTION

	Plaintiff
	Defendant

The Accountant General of the Grand Court is directed to make the payment(s) specified overleaf.

Dated _____

Signed _____

AUTHORISED SIGNATURE

- (a) If the total amount is more than CI\$10,000, US\$12,000 or the equivalent in any other currency but less than CI\$100,000, US\$120,000 or the equivalent in any other currency, this schedule shall be signed by an 'A' signatory or any two 'B' signatories; and
- (b) If the total amount is more than CI\$100,000, US\$120,000 or the equivalent in any other currency, this schedule shall be signed by an 'A' signatory.

COURT FUNDS OFFICE USE

Date received

Sub-account number

Payment approved by:

See Overleaf

	PAYEE'S NAME	PAYEE'S ADDRESS	AMOUNT (words/figures)	FOR COURT FUNDS OFFICE USE CHEQUE ISSUED	
				DATE	NUMBER
1					
2					
3					

NOTES: The amount must be either -

- (a) a specific sum; or
- (b) "total principal and interest" in which case the account will be closed following payment.

REQUEST FOR PAYMENT

GCR FORM 203

(O.22, r.3)

CAUSE NO.				/	
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TITLE OF ACTION

Plaintiff
Defendant

The Accountant General of the Grand Court is requested to make the payments specified overleaf. The said sum was paid into Court by the Defendant pursuant to a notice in Form 14 and has been accepted by the Plaintiff pursuant to a notice in Form 15 served under GCR Order 22, rules 1 and 3.

DATED this ____ day of _____, 20__

Signed _____

Plaintiff's Name
Address

COURT FUNDS OFFICE USE

Date received

Approved for payment by:

See Overleaf

	PAYEE'S NAME	PAYEE'S ADDRESS	AMOUNT (words/figures)	FOR COURT FUNDS OFFICE USE CHEQUE ISSUED	
				DATE	NUMBER
1					
2					
3					

APPENDIX III

PRESCRIBED FORMS (O.1, r.10)

COSTS

INDEX

301	Application for Taxation	(O.62, r.28)
302	Application for Default Costs Certificate	(O.62, r.22(3))
303	Application for Costs Certificate (Agreed Amount)	(O.62, r.22(2))
304	Application for Taxation and Interim Costs Certificate	(O.62, r.22(1)(b))
305	Costs Certificate	(O.62, r.22)
306	Costs Certificate	(O.62, r.14)
307	Costs Certificate	(O.62, r.15)
308	Interim Costs Certificate	(O.62, r.22(1)(b))
309	Default Costs Certificate	(O.62, r.22(3))
310	Application for Review by a Judge	(O.62, r.30)
311	Application for Taxation	(O.62, r.28)
312	Application for Taxation of Arbitrator's Fees	(O.62, r.28)
313	Application to set aside Default Costs Certificate	(O.62, r.22(5))
314	Bill of Costs	(O.62, r.27)

Application for Taxation (O.62,r.28)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

APPLICATION FOR TAXATION

TO: The Taxing Officer

I [*state name of successful party*] hereby apply for taxation on the standard basis of the costs payable by [*state name of paying party*] ("the Paying Party") pursuant to the Order for Costs made on [*state date*].

- I enclose:
- (a) the Bill of Costs completed and signed by the Paying Party pursuant to rule 28(3);
 - (b) the additional Statement of Objections of the Paying Party dated [*state date*];
 - (c) my reply to the Statement of Objections.

Dated the day of 20

Signature of paying party's attorney

The successful party's address for service is:

Fax:

The paying party's address for service is:

Fax:

Application for Default Costs Certificate (O.62, r.22(3))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

APPLICATION FOR DEFAULT COSTS CERTIFICATE

TO: The Taxing Officer

I [state name of successful party] being the successful party under an Order for Costs made against [state name of paying party] ("the Paying Party") on [state date] hereby apply for a Default Costs Certificate in the sum of \$[state the amount] claimed in the Bill of Costs.

The grounds of my application are that:

- (a) a Bill of Costs was served on the Paying Party on [state date]; and
- (b) the Paying Party has failed to complete and return the Bill of Costs within the time limited by the rules;

Dated the day of 20

[Signature of successful party's attorney]

The successful party's address for service is:

Fax:

The paying party's for service is:

Fax:

Application for Costs Certificate (Agreed Amount) (O.62, r.22(2))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

APPLICATION FOR COSTS CERTIFICATE (AGREED AMOUNT)

TO: The Taxing Officer

I [*state name of successful party*] being the successful party under an Order for Costs made against [*state name of paying party*] ("the Paying Party") on [*state date*] hereby apply for a Costs Certificate in the sum of \$[*state amount*] being the amount agreed to be paid by the Paying Party as evidenced by the completed Bill of Costs signed by the Paying Party and returned to me [*the letter dated _____ and written on behalf of the Paying Party*].

I agree to accept this amount in full and final satisfaction of the Paying Party's liability under the said Order for Costs

Dated the day of 20

[*Signature of successful party's attorney*]

The successful party's address for service is:

Fax:

The paying party's for service is:

Fax:

Application for Taxation and Interim Costs Certificate (O.62, r.22(1)(b))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 200

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

APPLICATION FOR TAXATION AND INTERIM COSTS CERTIFICATE

TO: The Taxing Officer

I [*state name of successful party*] hereby apply for taxation on the standard basis of the costs payable by [*state name of paying party*] ("the Paying Party") pursuant to the Order for Costs made on [*state date*].

I enclose:

- (a) the Bill of Costs completed and signed by Paying Party pursuant to rule 28(3);
- (b) the additional Statement of Objections of the Paying Party *dated [state date]*;
- (c) my reply to the Statement of Objections

Pending taxation of the Bill of Costs, I hereby apply for an Interim Costs Certificate in the sum of \$[] being the minimum amount which is agreed by the Paying Party to be payable in respect of the said Order for Costs.

Dated the day of 20

[*Signature of successful party's attorney*]

The successful party's address for service is:

The paying party's address for service is:

No. 305

Costs Certificate (O.62, r.22)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 200

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

COSTS CERTIFICATE

HAVING TAXED on the standard basis the Bill of Costs lodged by [*state name of successful party*] on [*state date of lodgement*]

IT IS HEREBY CERTIFIED that the net amount payable by [*state name of paying party*] pursuant to the Order for Costs made on [*state date*] is \$[*state amount*] including the costs of taxation.

Dated the day of 20

Taxing Officer

No. 306

Costs Certificate (O.62, r.14)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 200

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

COSTS CERTIFICATE

HAVING TAXED on the indemnity basis the Bill of Costs lodged by [*state name of successful party*].

IT IS HEREBY CERTIFIED that the amount payable by [*state name of paying party*] out of [*identify the estate or fund*] pursuant to the Order for Costs made on [*state date*] is \$[*state amount*].

Dated the day of 20

Taxing Officer

No. 307

Costs Certificate (O.62, r.15)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 200

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

COSTS CERTIFICATE

HAVING TAXED on the indemnity basis the Bill of Costs lodged by [*state name of attorneys*] on behalf of [*state name of person under disability*]..

IT IS HEREBY CERTIFIED that the amount payable to [*state name of attorneys*] by [*state name of person under disability*] pursuant to the Order for Costs made on [*state date*] is \$[*state amount*].

Dated the day of 20

Taxing Officer

No. 308

Interim Costs Certificate (O.62, r.22(1)(b))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 200

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

INTERIM COSTS CERTIFICATE

A BILL OF COSTS having been lodged for taxation on the standard basis by [*state name of successful party*] on [*state date of lodgement*].

AND IT APPEARING to the taxing officer that [*state name of paying party*] has agreed that the amount payable pursuant to the Order for Costs made on [*state date*] is not less than \$[*state amount*].

IT IS HEREBY CERTIFIED that [*state name of paying party*] shall pay to [*state name of successful party*] the sum of \$[*state amount*] on account of his liability under the said Order for Costs made on [*state date*].

Dated the day of 20

Taxing Officer

No. 309

Default Costs Certificate (O.62, r.22(3))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

DEFAULT COSTS CERTIFICATE

UPON reading the application made by [*state name of successful party*] on [*state date of lodgement*].

AND UPON reading the affidavit of service of [*state name*] sworn on [*state date*].

AND BEING SATISFIED that [*state name of paying party*] has failed to complete and return the Bill of Costs served on him in respect of the Order for Costs made against him on [*state date*].

IT IS HEREBY CERTIFIED that the amount payable to [*state name of successful party*] by [*state name of the paying party*] pursuant to the Order for Costs made on [*state date*] is the sum of \$[*state amount*].

Dated the day of 20

Taxing Officer

Application for Taxation (O.62, r.28)

IN THE MATTER OF SECTION 14 OF THE ARBITRATION LAW (2001 REVISION)

AND IN THE MATTER OR AN ARBITRAL AWARD MADE BY (*STATE ARBITRATOR'S NAME*) AND PUBLISHED ON [*STATE DATE*]

APPLICATION FOR TAXATION

TO: The Taxing Officer

I [*state name of successful party*] hereby apply for taxation on the standard basis of the costs payable by [*state name of paying party*] ("the Paying Party") pursuant to the Order for Costs contained in the arbitral award published on [*state date*].

I enclose:

- (a) a true copy of the arbitral award;
- (b) the Bill of Costs completed and signed by the Paying Party pursuant to rule 28(3);
- (c) the additional Statement of Objections of the Paying Party] dated [*state date*]; and
- (d) my reply to the Statement of Objections

Dated the day of 20

Signature of successful part's attorney

The successful party's address for service is:

 Fax:
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The paying party's for service is:

 Fax:
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Application for Taxation of Arbitrator's Fees (O.62, r.28)

IN THE MATTER OF SECTION 15 OF THE ARBITRATION LAW (2001 REVISION)

AND IN THE MATTER OF AN ARBITRATION CONDUCTED BY (*STATE ARBITRATOR'S NAME*) ON [*STATE DATE*]

APPLICATION FOR TAXATION OF ARBITRATOR'S FEES

TO: The Taxing Officer

I [*state name of successful party*] being a party to an arbitration agreement contained in a contract made on [*state date*] between [*state party's name*] and [*state party's name*], in respect of which the Court has made an order pursuant to Section 15 of the Arbitration Law (2001 Revision) requiring the arbitrator, [*state arbitrator's name*] to publish his award, hereby apply for taxation of the amount of fees properly payable to the arbitrator.

I enclose:

- (e) the arbitrator's invoice;
- (f) the party's Statement of Objections [*state date*];
- (g) the arbitrator's reply to the Statement of Objections

I certify having paid the sum of \$[*state amount*] into Court pursuant to the Order made on [*state date*].

Dated the day of 20

[*Signature of the party's attorney*]

The party's address for service is:

The arbitrator's address for service is:

Application To Set Aside Default Costs Certificate (O.62, r.22(5))

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 20__

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

APPLICATION TO SET ASIDE DEFAULT COSTS CERTIFICATE

TO: The Taxing Officer

I [*state name of paying party*] hereby apply for an order setting aside the Default Costs Certificate dated [*state date*] and for an order that [*state successful party's name*] Bill of Costs served pursuant to the Order for Costs made on [*state date*] be taxed on the standard basis.

- I enclose:
- (a) an affidavit explaining the reasons for my default;
 - (b) the Bill of Costs completed and signed pursuant to rule 28(3);
 - (c) my additional Statement of Objections dated [*state date*];

And hereby certify having paid the sum of \$[*state amount*] into Court.

Dated the day of 20__

Signature of paying party's attorney

The successful party's address for service is:

Fax:	
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The paying party's address for service is:

Fax:	
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No. 314

Bill of Costs (O.62, r.27)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 200

BETWEEN:

PLAINTIFF

AND:

DEFENDANT

BILL OF COSTS

PARTIES

This is [*state name of successful party*]'s Bill of Costs payable pursuant to the Order for Costs made on [*state date*].

The paying party on whom it is intended to serve this Bill of Costs is [*state name*].

INTRODUCTION

[*Set out in narrative form a description of the nature of the proceedings sufficient to enable to the Taxing Officer to gain a proper understanding of it without necessarily having to read all the pleadings, evidence and judgements. A complete index of all the pleadings, affidavits and orders should be annexed to the Bill. Where the Order for Costs relates only to part of the proceedings, describe exactly those steps to which it relates.*]

APPLICABLE ORDERS AND DIRECTIONS

[*If the Court has made any orders or directions pursuant to GCR O.62, r.4(7) to the effect that specific items of expenditure should be allowed or disallowed on taxation, set out particulars of the relevant orders.*]

PARTICULARS OF ATTORNEYS ENGAGED

[*List the names of all the attorneys engaged and set out all information necessary to enable the Taxing Officer to determine the appropriate hourly rate recoverable in respect of each of them. In the case of foreign lawyers, set out both the date upon which he was first admitted to practice as a professional lawyer and the date upon which he was temporarily admitted as an attorney in the Cayman Islands.*]

DETAILS OF WORK DONE

1	2	3	4		5
Item	Description of Work Done or Disbursement Incurred	Amount Claimed	Paying Party's Response		Amount Allowed
			Objections	Agreed Amount	
	Legal Fees	\$	Legal Fees	\$	
	Disbursements	\$	Disbursements	\$	
	TOTAL CLAIMED	\$	TOTAL AGREED	\$	

We *[state name of successful party's attorneys]* hereby certify that the amounts claimed in this Bill of Costs do not exceed the amounts (and rates) charged to and paid by *[state name of successful party]*.

[Signature of successful party's attorneys]

We *[state name of paying party's attorneys]* hereby certify that *[state name of paying party]* agrees to pay the sum of \$*[state amount]* pursuant to the Order for Costs made on *[state date]* and objects to the balance claimed for the reasons stated in column 4 above as supplemented by the Statement of Objections served herewith.

[Signature of paying party's attorneys]

We *[state name successful party's attorneys]* hereby certify for the purposes of the Court Costs Rules 2001 that the sum in issue is \$*[state amount]*.

[Signature of successful party's attorneys]

NOTE:

Bills of Costs should be laid out in landscape format using legal size paper (ie 14" wide by 8½" high).