

IN THE MATTER OF SECTION 48 OF THE TRUSTS LAW (2007 REVISION)

AND IN THE MATTER OF GCR ORDER 85, RULE 8

AND IN THE MATTER OF THE AGILE SERIES TRUST



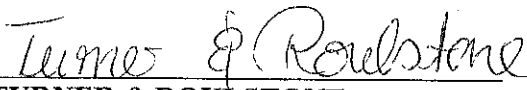
ORIGINATING SUMMONS

LET ALL PARTIES attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the _____ day of _____, 2009 at _____ upon the hearing of an application by Deutsche Bank (Cayman) Limited (“the Applicant”) as trustee of the Agile Series Trust (“the Fund”) for the opinion, advice or direction of the Court in relation to the following questions:

1. What position the Trustee should take in relation to the management fees and performance fees of the Investment Advisor to date;
2. Whether the Trustee should enter into a revised investment advisory agreement with the Investment Advisor;
3. Whether the Trustee should disburse from the Trust’s assets monies in respect of the following items:
 - i. A retainer and ongoing fees of US litigation counsel instructed by the Investment Advisor of the Trust;
 - ii. Legal fees in respect of US counsel retained by the Investment Advisor of the Trust to deal with an SEC investigation into the services provided by the Investment Advisor to the Trust;

- iii. Expenses incurred by the Investment Advisor pursuant to a contract between it and a consulting firm, GCM Advisors, LLC;
4. Whether the Trustee, having assumed the role of administrator, should be permitted to discharge out of the assets of the Trust all reasonable fees, costs and expenses which would be paid to an external administrator if one had been appointed upon the resignation of the previous administrator; and
5. Whether the Trustee should be entitled to receive from the assets of the Trust additional remuneration to that set out in the Trust Deed for services provided, both retrospective and future, to the Trust for work over and above that which the parties had anticipated that the Trustee would perform for the Trust when it agreed to assume the role as trustee; and if so, how such additional remuneration should be calculated.

DATED this ^{7th} day of May 2009


TURNER & ROULSTONE
Attorneys-at-Law for the Applicant

TO: The Clerk of the Court

TIME ESTIMATE: The estimate length of the hearing of this summons is ½ a day.

THIS SUMMONS was issued by Turner & Roulstone, Attorneys-at-Law for the Applicant whose address for service is Strathvale House, 90 North Church Street, PO Box 2636, Grand Cayman KY1-1102, CAYMAN ISLANDS.