

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 365 OF 2009



IN THE MATTER OF CAMULOS PARTNERS OFFSHORE LIMITED

AND IN THE MATTER OF THE COMPANIES LAW (2007 REVISION) (AS AMENDED)

BETWEEN:

CAMULOS PARTNERS OFFSHORE LIMITED

APPLICANT

AND:

KATHREIN & CO

RESPONDENT



**EX PARTE ORIGINATING MOTION**

TAKE NOTICE that the Court at the Law Courts, George Town, Grand Cayman will be moved on \_\_\_\_\_ at \_\_\_\_\_ or as soon thereafter as counsel can be heard, by counsel on behalf of Camulos Partners Offshore Limited for an Order that:

1. Kathrein & Co be restrained, whether by itself, or by its servants or agents or otherwise howsoever, from presenting any petition to this Honourable Court, or any Court, for the winding up of the above-named Camulos Partners Offshore Limited (the "Company") based on the sum of US\$27,227,268.80 claimed in (i) the Originating Summons filed by Kathrein & Co on 22 April 2009 (Cause No 191 of 2009) (the "Originating Summons"); and (ii) the letters from Kathrein & Co's Cayman Islands counsel, Campbells, to the Company's Cayman Islands counsel, Walkers, dated 23 and 27 July 2009.
2. Or such further or other Order as the Court shall deem fit.
3. Costs be reserved.

AND FURTHER TAKE NOTICE that the grounds of this application include that the action threatened by the Respondent in seeking to present a petition against the Applicant constitutes an abuse of the Court's process in the premises and the Applicant intends to file and serve an Affidavit(s) dealing with such matters prior to the hearing of this Application.

DATED the 3rd day of August 2009.



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**WALKERS**

Attorneys at Law for the Applicant

TO: The Clerk of the Court

It is not intended to serve this Application on any other party.

This Notice Of Originating Motion is issued by Walkers, Attorneys at Law, Walker House, 87 Mary Street, George Town, Grand Cayman KY1-9001, for the Applicant whose address for service is care of said Attorneys at Law.