

IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO: 395 OF 2009

IN THE MATTER OF THE EVIDENCE (PROCEEDINGS IN OTHER JURISDICTIONS)
(CAYMAN ISLANDS) ORDER 1978

AND IN THE MATTER OF A CIVIL PROCEEDING NOW PENDING BEFORE THE
CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS, IN THE STATE OF
LOUISIANA, UNITED STATES OF AMERICA, ENTITLED AS FOLLOWS:



NO. 2004-04758

DIVISION "J"

SECTION "13"

ROSE GOUDEAU, ET AL.

VERSUS

THE ADMINISTRATORS OF THE TULANE EDUCATIONAL FUND, ET AL.

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 August, 2009 at ___ o'clock on the hearing of an application by The Administrators of the Tulane Educational Fund of 300 Gibson Hall, Tulane University, 6823 St. Charles Avenue, New Orleans, Louisiana 70118-5698, United States of America, for an order in the form of the draft Order attached hereto.

Dated this 19th day of August, 2009

OGIER

TIME ESTIMATE: The estimated length of the hearing of this summons is 30 minutes

This *Ex Parte* Originating Summons was issued by Ogier, Attorneys at Law for the Plaintiff, whose address for service is: Queensgate House, South Church Street, PO Box 1234, George Town, Grand Cayman KY1-1108, CAYMAN ISLANDS (Ref: 421416.00001/WRJ)

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IN CHAMBERS

_____, 2009
BEFORE THE HON. _____

DRAFT ORDER

UPON reading the affidavit of Stephen G. Bullock filed the [] day of August 2009 and the request exhibited thereto

AND being satisfied that proceedings are pending in the Civil District Court for the Parish of Orleans, of 421 Loyola Avenue, New Orleans, Louisiana, United States of America and that such court wishes to obtain the testimony of Paul Tien, Yife Tien or some other authorised officer of the American University of the Caribbean ("AUC").

IT IS ORDERED that the said witnesses do attend before Aristos Galatopoulos who is hereby appointed examiner herein, at the offices of Maples and Calder at Uglan House, South Church Street, George Town, Grand Cayman on Wednesday, 2nd September 2009 at 10:00am, or such other day and time as the said examiner may appoint, and do there submit to be examined upon oath, touching the testimony on the following topics:

1. the contractual relationship between AUC and National Anatomical Service, Inc. ("NAS") for the supply of services in connection with the procurement of cadavers by AUC from 1st January, 1999 through 30th March, 2004;

2. the documents evidencing the aforesaid contractual relationship;
3. AUC's medical school's receipt, usage and return of the cadaver of Mr. Paul Beach, which bore Tulane Willed Body Accession No. 8;
4. the nature of, reasons for and importance of AUC's medical school's usage of human cadavers; and
5. the documents in AUC's possession, custody, or power regarding the cadaver of Mr. Paul Beach, which bore Tulane Willed Body Program Accession No. 8.

AND IT IS ORDERED that the said witnesses do then and there produce the following documents:

1. All contracts, agreements, memoranda of understanding, and other documents evidencing any contractual relationship between AUC and NAS at any time during the period 1st January, 1999 through 30th March, 2004; and
2. All records of receipt, shipping documentation, immigration documentation, records of storage, records of usage, logs, and other documents regarding the cadaver of Mr. Paul Beach, which bore Tulane Willed Body Program Accession No. 8.

IT IS ALSO ORDERED that the said examiner do take down or cause to be taken down in writing and by means of videotape, the evidence of the said witnesses according to the rules and practice of the Grand Court pertaining to the examination and cross-examination of witnesses, and do request each and every witness to sign his or her 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 Ogier, attorneys at law for the Administrators of the Tulane Educational Fund, for transmission to the court desiring the evidence of the said witness.

Dated this ___ day of August 2009
Filed this ___ day of August 2009

JUDGE OF THE GRAND COURT

This Order was filed by Ogier, Attorneys at Law for the Plaintiff, whose address for service is:
Queensgate House, South Church Street, PO Box 1234, George Town, Grand Cayman
KY1-1108, CAYMAN ISLANDS (Ref: 421416.00001/WRJ)