

IN THE GRAND COURT OF THE CAYMAN ISLANDS

G0503
CAUSE NO: OF 2009

In the Matter of the Companies Law (2009 Revision)

And in the Matter of Harley International (Cayman) Limited (in liquidation)

BETWEEN:

IRVING H. PICARD

As trustee for the liquidation of the business of Bernard L. Madoff Investment Securities
LLC (In Securities Investor Protector Act liquidation)

And

HARLEY INTERNATIONAL (CAYMAN) LIMITED (in liquidation)

Plaintiff

Defendant

ORIGINATING SUMMONS

LET THE DEFENDANT of PO Box 10387, Airport, and Harbour Centre, 42 North Church St, Grand Cayman attend before the Judge [in Chambers] at the Law Courts, George Town, Grand Cayman on the day of 20, at o'clock in the fore/afternoon on the hearing of an application by the Plaintiff of 45 Rockefeller Plaza, New York, New York 10111 for an order that, pursuant to section 97 (1) of the Companies Law (2009 Revision),

1. the Plaintiff have leave forthwith to commence and proceed with an application to this Honourable Court by Originating Summons for an order pursuant to section 241 (1) (e) of the Companies Law (2009 Revision), alternatively common law, that the Defendant turnover to the Plaintiff all property belonging to Bernard L. Madoff Investment Securities LLC ("the Debtor") including, without limitation, all payments made to or to the account of the Defendant by or on behalf of the Debtor within the 90 period prior to 11 December 2008 and/or the fund comprising US\$12,458,420.14 held to the account of the Defendant by Fortis Prime Fund Solutions Bank (Ireland) Ltd as at 17 July 2009 ("the Fund") or so much of the Fund as is still held by or to the account of the Defendant and
2. the costs of this Originating Summons be costs in the Originating Summons issued pursuant to such leave or otherwise provided for as may be just.

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 13th day of October 2009



Higgs Johnson Truman Bodden & Co, attorneys for the Plaintiff

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 Higgs Johnson Truman Bodden & Co whose address for service is PO Box 866 Georgetown, Grand Cayman, KY1 - 1103 and Fifth Floor, Anderson Square Building, Shedden Road, Georgetown, Grand Cayman, Cayman Islands