

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
[CIVIL DIVISION]

CAUSE No. 54 of 2010

IN THE MATTER of the Estate of Samuel Foster (Deceased)

AND IN THE MATTER of certain land described in the Cayman Islands Land Register as  
Cayman Brac Block 101A, Parcel 15 [the "Land"]

AND IN THE MATTER of Section 48 of the Trusts Law (2009 Revision)

BETWEEN:

MARY SCOTT in her Personal Capacity and as Administrator  
of the Estate of Alonzo Hurlston (Deceased)  
and Executrix of the Estate of Samuel Foster (Deceased)

Applicant

AND:

- (1) DONALD A. FOSTER
- (2) JACOB STEPHEN FOSTER
- (3) CAROL W. FOSTER
- (4) THE ESTATE OF EDWARD FOSTER, DECEASED
- (5) THE ESTATE OF ALFRED LEON FOSTER, DECEASED
- (6) THE ESTATE OF EARLE HARCOURT FOSTER, DECEASED
- (7) ELMER E. W. HURLSTONE
- (8) SOUTHEAST BANK, as Executor of the Estate of Edward Hiram Foster (Deceased)
- (9) EDWARD A.N. FOSTER
- (10) CHRISTINE ANN FOSTER
- (11) NOLA E. BODDEN

Respondents

*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        2010, at a.m./p.m., on the hearing of an application by the Applicant pursuant to Section 48 of the Trusts Law (2009 Revision) for the following orders and declaration, namely: -

- (1) an order that the Applicant have leave to sell the Land by way of private treaty;
- (2) a declaration that the Applicant is entitled to 50% of the proceeds of the aforesaid sale of the Land before any deductions therefrom;
- (3) an order that the Applicant's costs of and occasioned by this Application be paid out of the remaining balance of the proceeds of sale on the indemnity basis;
- (4) a order that the balance of the proceeds of sale after payment to the Applicant of the sums referred to in paragraphs (2) and (3) of this order be paid into Court to abide the agreement of the parties or the further order of the Court;
- (5) such further or other relief as to the Court may seem necessary or just.

Dated the 17<sup>th</sup> day of January 2010

Bodden & Bodden

Bodden & Bodden  
Attorneys for the Applicant

TO: The Clerk of the Court

AND TO: DONALD A. FOSTER  
1833 Harold Parham Rd.  
Blairsville, GA 30512  
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JACOB STEPHEN FOSTER  
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THE ESTATE OF EDWARD FOSTER, DECEASED  
Lisa Galiza – [lisagaliza@aol.com](mailto:lisagaliza@aol.com)

THE ESTATE OF ALFRED LEON FOSTER, DECEASED  
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THE ESTATE OF EARLE HARCOURT FOSTER, DECEASED  
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ELMER E. W. HURLSTONE  
142 E. 145<sup>th</sup> Avenue  
Tampa FL 33613  
USA

SOUTHEAST BANK S.A., as Executor of the Estate of Edward  
Hiram Foster, Deceased

Now operating as Wachovia

Also to Lisa Galiza – [lisagaliza@aol.com](mailto:lisagaliza@aol.com)

EDWARD A.N. FOSTER  
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Cayman Brac

CHRISTINE ANN FOSTER  
Po Box 51  
424 Stake Bay Road  
KY2-2102

NOLA E. BODDEN  
PO Box 48 SPO  
KY2-2101  
Cayman Brac

TIME ESTIMATE: The estimated length of the hearing of this summons is 1 hour.

This *Ex Parte* Originating Summons was issued by Bodden & Bodden, Attorneys-at-Law for the Applicant, whose address for service is that of her said attorneys, namely Grand Pavilion Commercial Centre, 802 West Bay Road, P.O. Box 10335, Grand Cayman KY1-1103 [Reference: 1145-0001/WJH].