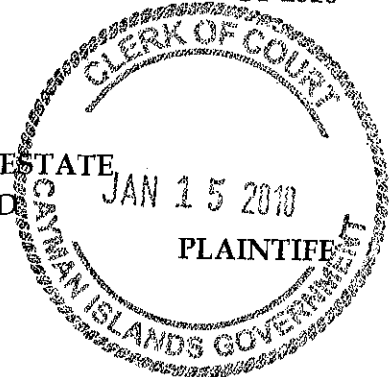
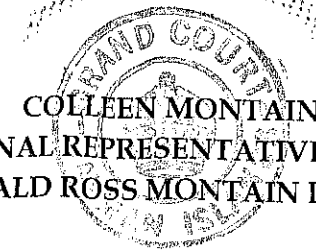


IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 69 OF 2010

BETWEEN:

COLLEEN MONTAIN  
AS THE PERSONAL REPRESENTATIVE OF THE ESTATE  
OF DONALD ROSS MONTAIN DECEASED



AND

GODFREY DAWKINS

FIRST DEFENDANT

AND

GULF SHORE LTD

SECOND DEFENDANT

WRIT OF SUMMONS

TO: Godfrey Dawkins of P.O. Box 31384, Grand Cayman KY1-1103 Cayman Islands, and Gulf Shore Ltd of P.O. Box 822, Grand Cayman, KY1-1103 Cayman Islands

THIS WRIT OF SUMMONS has been issued against you by the above named Plaintiff in respect of the claim set out on the next page.

Within 14 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495 GT, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 15<sup>th</sup> day of January 2010

NOTE – This Writ 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 date of issue unless renewed by order of the Court.

**IMPORTANT**

Directions for Acknowledgment of Service are given with the accompanying form.

## STATEMENT OF CLAIM

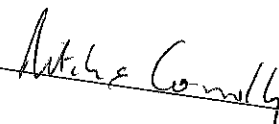
1. The Plaintiff is the personal representative of Donald Ross Montain deceased ("the Deceased") and was appointed personal representative by the Court of Queen's Bench of Alberta, Judicial District of Calgary, Alberta, Canada on 1<sup>st</sup> October 2007, which such appointment was resealed by the Grand Court of the Cayman Islands on 12 March 2008.
2. The Deceased owned and his estate continues to own a 40 per cent beneficial share in the Second Defendant, Gulf Shore Ltd, a Cayman Island ordinary resident company with the registration number 109941.
3. The First Defendant, Godfrey Dawkins, owns a 60 per cent beneficial share in the Second Defendant.
4. The First Defendant is the Secretary of the Second Defendant and the sole Director of the Second Defendant.
5. In or about April 2004 the Second Defendant purchased a property which was registered at the Lands & Survey Department as Block 14, Parcel 328 ("Parcel 328") for CI\$261,000.00.
6. In or about February 2009 the Second Defendant sold Parcel 328 and according to the records at the Lands & Survey Department the sale price was CI\$240,000.00.
7. The First Defendant and/or the Second Defendant have failed to pay to the Plaintiff the deceased's portion of the net sale proceeds of Parcel 328.
8. The First Defendant has repeatedly acknowledged his liability and/or the liability of the Second Defendant to pay to the Plaintiff the Deceased's portion of the net sale proceeds of Parcel 328 but for no apparent reason has failed to do so and so the Plaintiff claims aggravated damages and/or exemplary damages to punish the behavior of the First Defendant and/or the Second Defendant.
9. The Plaintiff is entitled to and claims pursuant to Section 34 of the Judicature Law (2007 Revision) interest on all sums found due for such periods and at such rates as to the Court may seem just.

### AND THE PLAINTIFF claims:

1. An account of the net sale proceeds of Parcel 328;
2. Damages to represent the Deceased's portion of the net sale proceeds of Parcel 328;
3. Aggravated damages;

4. exemplary damages;
5. interest pursuant to section 34 of the Judicature Law (2007 Revision);
6. Costs;
7. Further or other relief.

Dated this 15<sup>th</sup> day of January 2010

  
\_\_\_\_\_  
**RITCH & CONOLLY**  
Attorneys for the Plaintiff

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This **WRIT** was issued by Ritch & Conolly, Attorneys-At-Law for the Plaintiffs, whose address for service is Box 1994, Queensgate House, 113 South Church Street, George Town, Grand Cayman KY1-1104, Cayman Islands.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE N<sup>o</sup> OF 2010

BETWEEN:

COLLEEN MONTAIN  
AS THE PERSONAL REPRESENTATIVE OF THE ESTATE  
OF DONALD ROSS MONTAIN DECEASED

PLAINTIFF

AND

GODFREY DAWKINS

FIRST DEFENDANT

AND

GULF SHORE LTD

SECOND DEFENDANT

ACKNOWLEDGMENT OF SERVICE  
OF WRIT OF SUMMONS

If you intend to instruct an Attorney to act for you, give him this form **IMMEDIATELY**.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, **THIS FORM MAY HAVE TO BE RETURNED**.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Writ of Summons is being acknowledged.

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2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

yes

no

---

Service of the Writ of Summons is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in person]

Address for service:

**Please complete overleaf**

**NOTES ON ADDRESS FOR SERVICE**

Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited company, "residence" means its registered principal office.

Endorsement by plaintiff's Attorney (or by plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Messrs. Ritch & Conolly  
PO Box 1994 GT  
Grand Cayman  
  
Ref: RJH/10918 Montain

Endorsement by defendant's Attorney (or by defendant if suing in person) of his name, address and reference, if any, in the box below.