

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 144 OF 2010

BETWEEN:

1. SAMAR TELECOMMUNICATIONS LIMITED
2. WAFIC RIDA SAID

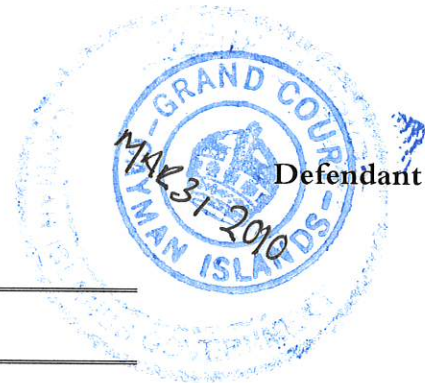
Plaintiffs

AND

ABDULLAH SALEH KAMEL

Defendant

WRIT OF SUMMONS



TO: Abdullah Saleh Kamel
Palasteen str. Dallah tower
Jeddah
PO Box 430
Jeddah 21411
Kingdom of Saudi Arabia

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs 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, PO Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands, the accompanying Acknowledgement 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 Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 31st day of March, 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 Acknowledgement of Service are given with the accompanying form.

Endorsement

The Plaintiffs' claims arise out of an express or constructive trust between the Defendant and the First Plaintiff ("Samar") and/or Second Plaintiff ("Said") (alternatively, an agency, *sui generis* contractual agreement, *convention de prête-nom* or *société en participation* between the parties arising variously under Cayman law, Syrian law or Lebanese law). The Plaintiffs claim:

1. A declaration that the Defendant through Tele Invest Limited ("Tele Invest") holds certain shares in a company previously called Spacotel Syria, now MTN Syria ("Spacotel"), in trust for Samar and/or Said, alternatively for and on behalf of Samar and/or Said pursuant to an agency, *sui generis* contractual agreement, *convention de*

prête-nom or *société en participation* (alternatively that Samar and/or Said is entitled to be registered as the owner of the same shares), such shares totalling:

- (a) 5% of the total issued shares in Spacetel, or alternatively;
- (b) such proportion of the total issued shares in Spacetel that is an equivalent proportion to half of the shares acquired by Tele Invest on behalf of the Defendant and on behalf of Samar and/or Said in 2002 (that is, excluding shares acquired by Tele Invest on behalf of Prince Abdul Aziz); or alternatively,
- (c) such other proportion of the total issued shares in Spacetel as the Court finds were beneficially owned by Samar and/or Said, or such other shares as the Court deems fit;


(the "Shares");

- 2. A declaration that Samar and/or Said are entitled to the dividends paid and payable in respect of the Shares and/or any proceeds from any sale of the Shares;
- 3. Damages for breach of trust, alternatively breach of agency, or contract, or *convention de prête-nom*, alternatively breach of duty under a *société en participation*;
- 4. An order that the Defendant accounts for the value of the Shares, and any interest, dividends, profits and/or proceeds of sale;
- 5. Interest pursuant to section 34 of the *Judicature Law (2007 Revision)*, and regulations thereto, or alternatively pursuant to the inherent jurisdiction of the Court, at such rate and for such period as the Court deems fit; alternatively interest or further damages under Syrian or Lebanese law;

6. Costs; and

7. Such further and other relief as this Honourable Court deems fit.

Dated the 31st day of March 2010



APPLEBY

THIS WRIT was issued by Appleby of Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands, Attorneys-at Law for the Plaintiffs, whose addresses are: Samar Telecommunications Limited, 5B Waterloo Lane, Pembroke, HM08, Bermuda; Wafic Rida Said, Le Formentor, 27 Avenue Princesse Grace, Monte Carlo, MC-98000, Monaco (Ref. JW/MH/18474.001).