

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. **00229** OF 2010

IN THE MATTER OF the Registered Land Law (2004 Revision)

AND

AND IN THE MATTER of an Application by ROYAL BANK OF CANADA as Chargee of property described in the Cayman Islands Land Register as Registration Section Savannah, Block 27D, Parcel 180 (the "Charged Property"), for an Order varying the effect of the Registered Land Law with respect to the Charge and permitting the sale of the Charged Property.

BETWEEN:

ROYAL BANK OF CANADA

Plaintiff

AND

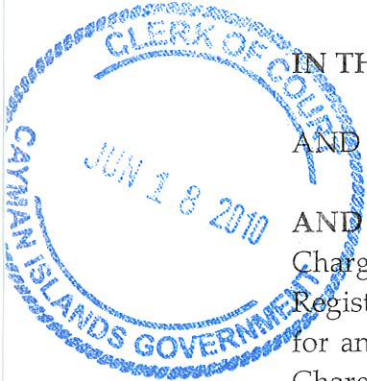
RANDY WHITTAKER

Defendant

ORIGINATING SUMMONS

TO: Randy Whittaker
19 Birch Tree Hill
P.O. Box 12100
Grand Cayman KY1-1010
Cayman Islands

LET THE DEFENDANT, Randy Whittaker, within 14 days after service of this Originating Summons on him, counting the day of service, return the accompanying acknowledgment of service to the Court Office, P.O. Box 495 GT, George Town, Grand Cayman KY1-1106, Cayman Islands B.W. I.



BY THIS ORIGINATING SUMMONS which is issued on the application of the Plaintiff ROYAL BANK OF CANADA (the "Bank") of Royal Bank of Canada Building, P.O. Box 245, Grand Cayman KY1-1104, Cayman Islands, the Plaintiff seeks the following relief:

1. That this Honourable Court sanctions the variations of the provisions of the Registered Land Law (2004 Revision) contained in the Charge (the "Charge") registered on 18 October 2005 against property described in the Cayman Islands Land Register as Registration Section Savannah, Block 27D, Parcel 180, as instrument number 21384/05, so as to entitle the Plaintiff to rely on the provisions of the said Charge;
2. That the Plaintiff, in the exercise of the powers of sale under the said Charge, is entitled to exercise the powers of sale under the Charge and is at liberty to sell the property described in the Cayman Islands Land Register as Registration Section Savannah, Block 27D, Parcel 180 by public auction or by private treaty;
3. That this Honourable Court gives such directions as to the reserve price or on other conditions of the sale as to this Honourable Court appear appropriate;
4. That the costs of this application be paid out of the proceeds of the sale of the property; and
5. There shall be liberty to apply.

If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

Dated 18 June 2010

Conyers Dill & Pearman

CONYERS DILL & PEARMAN

Attorneys for the Plaintiff

NOTE: This Originating Summons may be served not later than 4 calendar months (or if leave is required to effect notice out of the jurisdiction, 6 months) beginning with that date, unless renewed by order of the Court.

IMPORTANT: Directions for acknowledgment of service are given with the accompanying forms.

THIS ORIGINATING SUMMONS was issued by CONYERS DILL & PEARMAN on behalf of the Plaintiff whose address for service is Cricket Square, Hutchins Drive, Grand Cayman, Cayman Islands.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2010

IN THE MATTER OF the Registered Land Law (2004 Revision)

AND

AND IN THE MATTER of an Application by ROYAL BANK OF CANADA

BETWEEN:

ROYAL BANK OF CANADA

Plaintiff

AND

RANDY WHITTAKER

Defendant

ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING 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 the form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.		
--	--	--

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

Randy Whittaker

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

Yes

No

Service of the Originating Summons is acknowledged accordingly.

Defendant or Attorney for the Defendant

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.

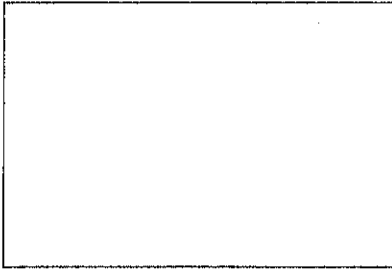
Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited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

Please complete overleaf

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

Conyers Dill & Pearman
Attorneys-at-Law
PO Box 2681
Grand Cayman KY1-1111
Cayman Islands

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



**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF ORIGINATING SUMMONS**

The accompanying form of Acknowledgement of Service should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. If you wish to defend claims made in the originating summons, or intend to attend the proceedings and to participate in them so far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the acknowledgment of service.
3. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
4. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Originating Summons)".
5. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "Partner in the firm of (.....)" after his name.
6. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the

addition in paragraph 1 of the description "trading as (.....)" after his name.

7. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorised to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.
8. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.