

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION**



CAUSE NO. FSD 0105 OF 2010 (AJJ)

IN THE MATTER of the Deed of Resettlement delivered to the Trustee on 22 May 2003 known as the White Stallion Trust as amended and restated by Federico Augusto Zichy Thyssen (Settlor) and Deutsche Bank (Cayman) Limited on 10 September 2003, the Deed of Retirement and Appointment of New Trustees dated 8 February 2005 and the Deed of Amendment executed by the Settlor on 4 April 2006

and

the Declaration of Trust executed by Treuco Trust Company Limited executed on 29 September 2006 known as the Flying Spur Trust

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

BETWEEN:

TREUCO TRUST COMPANY LIMITED

Plaintiff

AND

- (1) **ALEJANDRO AUGUSTO ZICHY**
- (2) **MARCIA AMELIA ZICHY**
- (3) **CLAUDIA CAROLINE ZICHY THYSSEN**
- (4) **MARLENE ELISABETH ZICHY**
- (5) **FEDERICO JULIAN LADISLAO ZICHY**
- (6) **GABRIEL FEDERICO ZICHY**
- (7) **FEDERICO AUGUSTO ZICHY**

Defendants

AMENDED ORIGINATING SUMMONS

TO: ALEJANDRO AUGUSTO ZICHY
of Rua Benjamim Pesset 211, Barra da Tijuca, Rio de Janeiro,
Brasil, CEP 22793-740

AND TO: MARCIA AMELIA ZICHY
of 6, Route de Villette, 1231 Conches, Geneva, Switzerland

AND TO: CLAUDIA CAROLINE ZICHY THYSSEN
Via Dei Colli 45, Bologna, Italy 40136

AND TO: MARLENE ELISABETH ZICHY
of Guido 1685, piso 5, 1016 Capital Federal, Argentina

AND TO: FEDERICO JULIAN LADISLAO ZICHY
of Av. Del Libertador 2330, 8°B, C1425AAW, Capital Federal,
Argentina

AND TO: GABRIEL FEDERICO ZICHY
of Ayacucho 2150, piso 16 'B', 1112 Capital Federal, Argentina

AND TO: FEDERICO AUGUSTO ZICHY
of 1A Lavalle 465, Capital Federal, Argentina

LET THE DEFENDANTS, ALEJANDRO AUGUSTO ZICHY of Rua Benjamim Pesset 211, Barra da Tijuca, Rio de Janeiro, Brasil, CEP 22793-740, MARCIA AMELIA ZICHY of 6, Route de Villette, 1231 Conches, Geneva, Switzerland, CLAUDIA CAROLINE ZICHY THYSSEN of Via Dei Colli 45, Bologna, Italy 40136, MARLENE ELISABETH ZICHY of Guido 1685, piso 5, 1016 Capital Federal, Argentina, FEDERICO JULIAN LADISLAO ZICHY of Av. Del Libertador 2330, 8°B, C1425AAW, Capital Federal, Argentina, GABRIEL FEDERICO ZICHY of Ayacucho 2150, piso 16 'B', 1206 Capital Federal, Argentina and FEDERICO AUGUSTO ZICHY of 1A Lavalle 465, Capital Federal, Argentina, within 28 days after service of this Originating Summons on them, 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 TREUCO TRUST COMPANY LIMITED of P.O. Box 555, Britannic House, Providenciales, Turks and Caicos Islands, who is trustee of the said Declaration of Trust ("the Settlement"), against the Defendants (whose addresses are given above and who are interested under the Settlement), the Plaintiff seeks the following relief:

1. ~~Directions from the Court confirming the duly authorised representative of the Named Beneficiaries on the Committee of the Settlement pursuant to clause 2.3 of the Settlement and/or generally; or~~
12. An order of the Court appointing a representative removing the current appointee of the Named Beneficiaries on the Committee of the Settlement and replacing it with a new appointee or appointees as the Court thinks fit; and/or
32. Directions to as to the administration of the Settlement pending the appointment of a duly authorised ~~representative~~ appointee of the Named Beneficiaries on the Committee of the Settlement, or in the absence of such appointment; and
43. An order making provision for the costs of this application; and
54. Such further or other directions or relief as this Honourable Court deems appropriate.

Dated 19th April 2010

Amended 16th July 2010

Conyers Dill & Pearman

CONYERS DILL & PEARMAN

Attorneys for the Plaintiff

If the Defendants do not acknowledge service, judgment may be given or made against, or in relation to them, as the Court may think just and expedient

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

BETWEEN:

TREUCO TRUST COMPANY LIMITED

Plaintiff

AND

- (1) ALEJANDRO AUGUSTO ZICHY**
- (2) MARCIA AMELIA ZICHY**
- (3) CLAUDIA CAROLINE ZICHY THYSSEN**
- (4) MARLENE ELISABETH ZICHY**
- (5) FEDERICO JULIAN LADISLAO ZICHY**
- (6) GABRIEL FEDERICO ZICHY**
- (7) FEDERICO AUGUSTO ZICHY**

Defendants

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

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.

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.