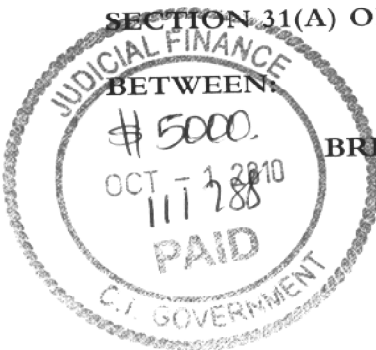


IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 0217 OF 2010

IN THE MATTER OF AN APPLICATION IN ACCORDANCE WITH
SECTION 31(A) OF THE ARBITRATION LAW (2001 REVISION)



BETWEEN:
BRITISH CAYMANIAN INSURANCE COMPANY



and

(1) THOMAS ENTERPRISES, INC.
(2) FOURTH QUARTER PROPERTIES 1 (CAYMAN ISLANDS) LTD.



NOTICE OF ORIGINATING MOTION

TAKE NOTICE that the Court or, if appropriate, a named Judge of the Court at the Law Courts, George Town, Grand Cayman will be moved on _____ 2010 at _____ or as soon thereafter as counsel can be heard, by counsel on behalf of British Caymanian Insurance Company for an order for the following relief, namely:

1. That the Defendants pay US\$514,832.34 (or such other amount as the Court deems appropriate) into Court (or such other location as the Court deems appropriate) within seven days by way of security for the Respondent's costs of the action, with liberty to apply for further security.
2. That should the Defendants fail to pay security for costs in accordance with paragraph 1 above, these arbitration proceedings be stayed pending such payment.
3. Costs.

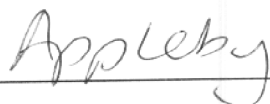
4. Such further and other orders and directions as the Court deems necessary.

And for an order that the costs of and incidental to this application may be paid by the Defendant.

AND FURTHER TAKE NOTICE that the grounds of this application are:

In accordance with Section 31(a) of the Arbitration Law (2001 Revision) and as set out in the affidavit of Paul Connolly dated 1 October 2010.

Dated this 1st day of October 2010



Appleby
Attorneys-at-Law for the Plaintiff

TO: The Clerk of the Court

AND TO: Ritch & Conolly
Attorneys-at-Law for the Defendants

THIS NOTICE OF ORIGINATING MOTION was issued by Appleby of Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref. JW/MH/318462.0001), Attorneys-at Law for the Plaintiff, whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands.