

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 396 OF 2010

BETWEEN:

RELIEF INVESTMENTS LIMITED



PLAINTIFFS

AND

CAYMAN OVERSEAS HOLDINGS LIMITED



DEFENDANT

ORIGINATING SUMMONS

LET THE DEFENDANT, of PO Box 194, KY1-1301, Grand Cayman attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on _____ at _____ upon an application by the Plaintiffs, P.O. Box 290, Grand Cayman KY1-1104, Cayman Islands for the following orders:-

1. An Order that this Honourable Court do sanction and permit the Plaintiffs liberty to sell by private treaty all that property registered in the Cayman Islands Land Register with absolute title and being particularly known as West Bay Beach South, Block 12C, Parcel 433H74 and a Collateral Charge secured over West Bay Beach South, Block 12C, Parcel 433H23 ("the property") as Chargees with a power of sale over the property in accordance with s. 75 of the Registered Land Law (2004 Revision);
2. Such further or other relief and directions for sale by private treaty as the court may think just.
3. An Order for the costs of this application;

AND LET THE DEFENDANT, within 14 days after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

IMPORTANT

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

Dated the 25th day of October 2010

Nelson & Co.
Nelson & Company

THIS ORIGINATING SUMMONS was issued by Nelson & Company, Attorneys-at-Law for the Plaintiff herein whose address is P.O. Box 2075, 31 The Strand, 46 Canal Point Drive, George Town, Grand Cayman, KY1-1105.

TIME ESTIMATE: The estimated length of the hearing of this summons is 30 Minutes

Acknowledgement of service of originating summons (0.10, r.5)

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS**

The accompanying form of Acknowledgment 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.

Notes for Guidance

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.

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.

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

Nelson & Company
31 The Strand
PO Box 2075
Grand Cayman KY1 – 1105
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.