

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
[CIVIL DIVISION]**

CAUSE No. **472** of 2010

IN THE MATTER of the Estates of John H. Scott (Deceased) and Maude M. Hurlstone-Scott (Deceased)

AND IN THE MATTER of certain lands described in the Cayman Islands Land Register as Cayman Brac Block 97B Parcel 15, Cayman Brac Block 97B Parcel 2, Cayman Brac Block 93C Parcel 50, Cayman Brac Block 95B Parcel 76, Cayman Brac Block 102A Parcel 21, Little Cayman Block 92A Parcel 150 and Little Cayman Block 92A Parcel 250 [the "Land"]

AND IN THE MATTER of Section 48 of the Trusts Law (2009 Revision)

BETWEEN:

RERRIE L. SCOTT and ALBERTA SCOTT in their capacities as
Trustees of the Estate of John H. Scott (Deceased) and
Beneficiaries of the Will of Maude M. Hurlstone Scott (Deceased)

Applicants

AND:

- (1) **MARWICK HENSLEY FOSTER** in his capacity as
Trustee of the Estate of John H. Scott (Deceased) and
Executor of the Will of Maude M. Hurlstone Scott (Deceased)
- (2) **WALTER ERIC WATTS** in his capacity as
Trustee of the Estate of John H. Scott (Deceased) and Executor of
the Will of Maude M. Hurlstone Scott (Deceased)

Respondents

EX PARTE ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the day of 2010, at a.m./p.m., on the hearing of an application by the Applicants pursuant to Section 48 of the Trusts Law (2009 Revision) for the following orders and declaration, namely: -

- (1) a declaration that past distributions of estate properties were carried out correctly and in accordance with the terms of the Wills of the various beneficiaries and/or the *Succession Law* (As Revised) or predecessor legislation;
- (2) an order that any future distributions of estate property be made in accordance with the methods and calculations used in past distributions;
- (3) in the alternative, an order that the Applicants be authorized to commence an action seeking the Court's directions as to the future distribution of the proceeds of sale of the Land;
- (4) an order that the Respondents pay the Applicants' costs of and occasioned by this Application and any subsequent legal action on the indemnity basis;
- (5) such further or other relief as to the Court may seem necessary or just.

Dated the 17th day of December, 2010



Bodden & Bodden
Attorneys for the Applicants

TO: The Clerk of the Court

AND TO: MARWICK HENSLEY FOSTER
N 144 W 14315 Pioneer Rd
Jackson, Wisconsin 53037
United States of America

WALTER ERIC WATTS
229 S.E. 45th Terrace
Ocala, FL. 34471
United States of America

TIME ESTIMATE: The estimated length of the hearing of this summons is 4 hours.

This *Ex Parte* Originating Summons was issued by Bodden & Bodden, Attorneys-at-Law for the Applicant, whose address for service is that of her said attorneys, namely Grand Pavilion Commercial Centre, 802 West Bay Road, P.O. Box 10335, Grand Cayman KY1-1103 [Reference: 1135-0001/WJH/DRD].