

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD ⁰⁰⁰⁶ OF 2011

IN THE MATTER of the trusts of a settlement made by deed dated 10 April 2001
between Olga Sloutsker as settlor and Close Trustees (Cayman) Limited
as trustee and known as the Misha Trust

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

AND IN THE MATTER of GCR O.85, r.2

BETWEEN:

VLADIMIR IOSIFOVICH SLUTSKER

AND:

SUMMIT TRUSTEES (CAYMAN) LIMITED

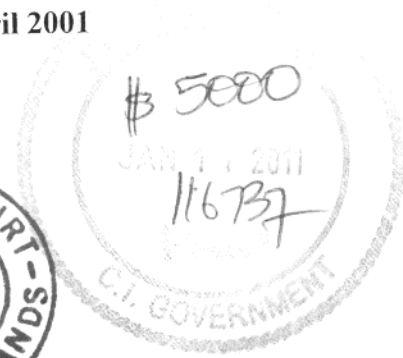
ORIGINATING SUMMONS

TO: Summit Trustees (Cayman) Limited whose chosen address for service is that of its attorneys
at law, Conyers Dill & Pearman, Boundary Hall, 2nd Floor, Cricket Square, PO Box 2681,
Grand Cayman KY1-1111

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
495, George Town, Grand Cayman, KY1-1106.

By this Summons, which is issued on the application of the Plaintiff, Vladimir Iosifovich Slutsker,
of Apartment 58, 14 Raspletina Street, Moscow, Russia, the Plaintiff seeks the following relief,
namely:

1. A declaration that the "*Deed of Removal of Beneficiary and Amendment of Administrative Provisions*" dated 20 March 2009, made by Close Summit Trust Company SA as trustee of the settlement ("the Settlement") made pursuant to a deed dated 10 April 2001 between Olga Sloutsker as settlor and Close Trustees Cayman Limited as trustee and known as the Misha Trust in purported exercise of the powers in clauses 5.1 and 11.2 of the Settlement:
 - (1) was of no effect; and
 - (2) that clauses 3.3 and 4.1.2, and all references to the "*the Second Life Tenant*", in the Settlement (including in clauses 4.1.3 and 4.1.4) continue to apply and have full effect.



2. A declaration that the “*Deed of Exclusion of Beneficiary and Release of Power*” dated 30 April 2009 made by Close Summit Trust Company SA as trustee of the Settlement by which:
- (1) in exercise of the power in clause 5.1 of the Settlement, the Plaintiff was purportedly removed from the class of “*Beneficiaries*” under the Settlement; and
 - (2) in exercise of the power in clause 6 (and all other enabling powers if any) of the Settlement, the power in clause 5.2 of the Settlement was purportedly irrevocably released to such extent as may be necessary such that it would cease to be exercisable for the purpose of declaring that the Plaintiff shall be included as a beneficiary of the Settlement,
- is void, alternatively is voidable and ought to be avoided.
3. An Order that the Defendant as trustee of the Settlement do forthwith provide to the Plaintiff a copy of the following documents:
- (1) All accounts and financial statements relating to the Settlement;
 - (2) All letters of wishes relating to the Settlement;
 - (3) All documents by which trustees of the Settlement were appointed and/or retired;
 - (4) All resolutions of the trustees of the Settlement;
 - (5) All communications passing between the trustees of the Settlement and Olga Sloutsker; and
 - (6) All documents, correspondence and communications sent and received by the original trustee in connection with or related to the establishment of the Settlement.
4. That the Order of Justice Foster made on 21 December 2010 in Cause Number FSD 243 of 2010 be set aside.
5. Such further or other relief, orders and directions as this Honourable Court thinks fit.
6. That provision be made for the costs of this Originating Summons.

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 the 11th day of January 2011

MOURANT OZANNES

MOURANT OZANNES
Attorneys at Law for the Plaintiff

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

IMPORTANT

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

This Originating Summons was filed by Mourant Ozannes attorneys at law for and on behalf of the Plaintiff whose address for service is Harbour Centre, Second Floor, 42 North Church Street, PO Box 1348, Grand Cayman KY1-1108 (MM/3004535/3131207.2)

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.

Address for service:

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.

Mourant Ozannes
Harbour Centre
42 North Church Street
PO Box 1348
Grand Cayman KY1-1108
Reference: MM/3004535/3131246.1

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

