

IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION

G0042
CAUSE NO: OF 2011

IN THE MATTER OF: THE CONFIDENTIAL RELATIONSHIPS (PRESERVATION) LAW
(2009 REVISION)

AND IN THE MATTER OF: PROCEEDINGS IN GRAND COURT FSD NO 81 OF 2010-AHJ

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 _____ 2011, at _____ o'clock, on the hearing of an application by the Bank of New York Trust Company (Cayman) Limited of Butterfield House, 68 Fort Street, George Town, Grand Cayman, KY1-1107 GT, Cayman Islands (the "**Applicant**") which intends in FSD Cause No. 81 of 2010-AHJ (the "**Cause**") to disclose copies of certain documents (the "**Confidential Information**") to the attorneys for the Plaintiffs (Helmsman Limited and The Hotham Trustee Company Limited) and the attorneys for the Third Party (Malcolm Stanley Healey) in the Cause, for directions pursuant to Section 4 of the Confidential Relationships (Preservation) Law (2009 Revision) (the "**Law**").

The Applicant intends to give in evidence confidential information belonging to a number of other entities and/or individuals not parties to the Cause and seeks directions that:

1. This Originating Summons shall not be served on any party other than the Attorney General;
2. Pursuant to Section 4 of the Law, the Applicant be permitted to disclose the Confidential Information in the Cause, on discovery or in any pleading served by or on behalf of the Applicant, and/or in evidence either in any affidavit or witness statement or any oral testimony given on behalf of the Applicant;
3. The costs of this application be reserved or such other order as to costs as this honourable Court thinks fit; and

4. Such further or other directions as the Court shall think fit.

DATED the day of February, 2011.

Walkers

WALKERS
Attorneys at Law for the Applicant

TIME ESTIMATE: The estimated length of this hearing is 30 minutes.

TO: The Clerk of the Court

AND TO: The Attorney-General of the Cayman Islands

This Originating Summons is issued by Walkers, Attorneys at Law, Walker House, 87 Mary Street, George Town, Grand Cayman KY1-9001, for the Applicant whose address for service is care of its said Attorneys at Law.