

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD 49 OF 2011

IN THE MATTER OF EAST WEST HOLDINGS LTD.

AND IN THE MATTER OF AN APPLICATION PURSUANT TO SECTION
46 OF THE COMPANIES LAW (2010 REVISION)

BETWEEN:

DEBBIE LYNN GUSHLAK

and

EAST WEST HOLDINGS LTD

and

CROSSROADS TRUST



Plaintiff



First Defendant



Second Defendant

ORIGINATING
SUMMONS

LET THE FIRST 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.


AND LET THE SECOND DEFENDANT within 28 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.

By this Summons, which is issued on the application of Debbie Lynn Gushlak whose address for service is 1 Cayman Financial Centre, 36A, Dr. Roy's Drive, PO Box 2510GT, Grand Cayman, Cayman Islands (the "Plaintiff"), the Plaintiff seeks the following Orders:-

1. That pursuant to Section 46 of the Companies Law (2010 Revision) the Register of Members of the above-named Company be rectified by inserting the name of the Plaintiff on the aforesaid Register of Members as the holder of two ordinary shares (the "Shares") in the Company and by deleting the name of the Second Defendant from the aforesaid Register of Members in respect of the Shares;
2. That such rectification as aforesaid shall be deemed to take effect as of 21 November 2007 or such other date as this Honourable Court deems fit;
3. The Defendants be restrained forthwith, whether by themselves or by their servants or agents or otherwise, from directly or indirectly dealing in any way with or transferring or facilitating the transfer of the Shares;
4. That the Defendants deliver up forthwith to the Plaintiff all documents in the possession, power or custody of the Defendants, their servants or agents, including copies in computer-readable form relating to the Company;
5. Such further Order, Direction and/or other Relief as Counsel may advise and that this Honourable Court may deem just and appropriate; and
6. The costs of this application be paid by the Defendants to the Plaintiff on an indemnity basis.

If the First Defendant and/or the Second 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 this 18th day of March 2011


Stuarts Walker Hersant
Attorneys-at-Law for the Plaintiff

NOTES: - This Summons may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 8 months) beginning with that date unless renewed by Order of the Court.

IMPORTANT

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

This Originating Summons is filed by Stuarts Walker Hersant, the Attorneys-at-Law for the Plaintiff, whose address for service is that of its said Attorneys, namely Fourth Floor, 1 Cayman Financial Centre, 36a Dr. Roy's Drive, PO Box 2510GT, Grand Cayman, Cayman Islands. Ref: AA/4362

**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 495GT, 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.

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION**

CAUSE NO: FSD OF 2011

BETWEEN:

DEBBIE LYNN GUSHLAK

Plaintiff

and

EAST WEST HOLDINGS LTD

First Defendant

and

CROSSROADS TRUST

Second Defendant

**ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS**

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

yes no

Service of the Originating Summons is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in person]

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

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

Anthony Akiwuni
STUARTS WALKER HERSANT
Cayman Financial Centre
36A Dr. Roy's Drive
P.O. Box 2510
Grand Cayman
Cayman Islands
KY1-1104

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

