

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION

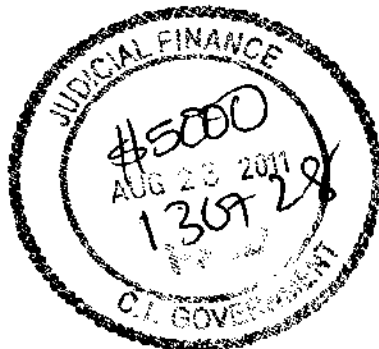
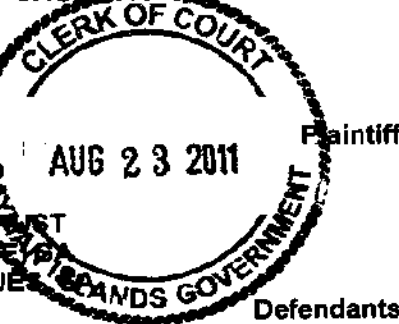
BETWEEN:

ASSELLUS FINANCE LTD

-and-

- (1) MILLENNIUM BCP BANK & TRUST  
(2) BANQUE PRIVÉE BCP (SUISSE) SA  
(3) BANCO COMERCIAL PORTUGUÊS, SA

CAUSE NO. FSD 0147 OF 2011



Defendants

WRIT OF SUMMONS

TO: **MILLENNIUM BCP BANK & TRUST**  
3rd floor, Strathvale  
House, 90 North Church  
Street, George Town, P.O.  
Box 30124, Grand  
Cayman, KY1-1201,  
Cayman Islands

AND TO: **BANQUE PRIVÉE BCP (SUISSE) SA.**  
4, Place du Molard, 1204,  
Genève,  
Switzerland

AND TO: **BANCO COMERCIAL PORTUGUÊS, SA**  
Banco Comercial Português, S.A  
Praça D. João I, 28,  
4000-295 Porto  
Portugal



THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

Within 14 days after the service of this Writ on MILLENNIUM BCP BANK & TRUST, counting the day of service, MILLENNIUM BCP BANK & TRUST must either satisfy the claim or return to the Court Office, P.O. Box 495, George Town, Grand Cayman KY1-1106, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

Within [ ] after the service of this Writ on BANQUE PRIVÉE BCP (SUISSE) SA, counting the day of service, BANQUE PRIVÉE BCP (SUISSE) SA must either satisfy the claim or return to the Court Office, P.O. Box 495, George Town, Grand Cayman KY1-1106, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

Within [ ] after the service of this Writ on BANCO COMERCIAL PORTUGUÊS, SA, counting the day of service, BANCO COMERCIAL PORTUGUÊS, SA must either satisfy the claim or return to the

Court Office, P.O. Box 495, George Town, Grand Cayman KY1-1106, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2011.

NOTE – This Writ 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 date of issue unless renewed by Order of the Court.

**IMPORTANT**

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

**GENERAL INDORSEMENT**

The Plaintiff claims as against the First and/or Second Defendant for:


1. Damages and/or compensation in equity for loss arising from breach of contract (entered into orally and/or in writing between the Plaintiff and the First Defendant in or around June 1999 and between the Plaintiff and the Second Defendant in or around August 2005) and/or negligence and/or breach of fiduciary duty for unauthorised and/or negligent investment in acting as bankers and/or investment managers for the Plaintiff, and in particular, investing, purportedly on behalf of the Plaintiff, in securities issued by the Third Defendant, a company related to the First Defendant and/or Second Defendant, in or after 2001.
2. Further or alternatively, breach of contract and/or negligence and/or compensation in equity and/or for breach of fiduciary duty in failing to account for, and to pay over to the Plaintiff, approximately Euro 2,215,247 held by the First Defendant and/or Second Defendant to the order of the Plaintiff.
3. Further or alternatively, the sum of Euro 2,215,247 as an unpaid debt due.

The Plaintiff claims as against the Third Defendant for:

4. Restitution on the basis of knowing receipt of the sum wrongly applied by the First and/or Second Defendant in acquiring securities in the Third Defendant in breach of fiduciary duty.

The Plaintiff claims as against all Defendants for:

5. All necessary accounts and inquiries;
6. Interest pursuant to section 34 of the Judicature Law (2007 Revision) and/or in equity; and
7. Costs.

  
\_\_\_\_\_  
**Ogier**  
**Attorneys for the Plaintiff**

To: The Clerk of the Court  
And to: Millennium BCP Bank & Trust  
And to: Banque Privée BCP (Suisse) SA  
And to: Banco Comercial Português, SA

This Writ of Summons  
was issued by Ogier, Attorneys for the Plaintiff, whose address for service is: 89 Nexus Way, Camana Bay, Grand Cayman KY1-  
9007, Cayman Islands (Reference: LIT/CRU/MIM/OGP 423670.00001)