

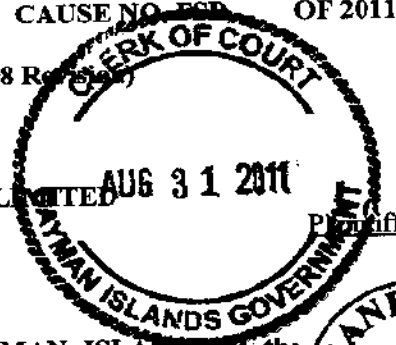
IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

6150
CAUSE NO. FSD OF 2011



In the Matter of section 11(2) of the Grand Court Law (2008 Rev. Ed.)

TOM JONES INTERNATIONAL LIMITED



-AND-

THE ATTORNEY GENERAL OF THE CAYMAN ISLANDS as the
representative of the CAYMAN ISLANDS GOVERNMENT (THE
MINISTRY OF EDUCATION, TRAINING, EMPLOYMENT, YOUTH,
SPORTS AND CULTURE)



Plaintiff
First Defendant

-AND-

ROYALSTAR ASSURANCE LIMITED

Second Defendant

ORIGINATING SUMMONS

TO: The Attorney General of The Cayman Islands
as the representative of The Cayman Islands
Government (The Ministry of Education, Training,
Employment, Youth, Sports and Culture)
Government Administration Building
Elgin Avenue, George Town, Grand Cayman

AND TO: RoyalStar Assurance Limited
Centreville House, Collins Avenue
Nassau, Bahamas

LET THE DEFENDANTS, within 14 days after service of this Summons on them, counting the day of service, return the accompanying Acknowledgment of Service to the Court Office at P.O. Box 495, George Town, Grand Cayman.

By this Summons is issued on the application of the Plaintiff, Tom Jones International Limited of P.O. Box 2503, Grand Cayman KY1-1104, and the Plaintiff claims against the Defendants the following declarations:

1. The Second Defendant has no liability to the First Defendant under the Performance Bond dated 7 July 2008 made between the Plaintiff as General Contractor and the Second Defendant as Surety for the benefit of the First Defendant in relation to the Plaintiff's obligations and liabilities under the contract for the construction of the Clifton Hunter Campus dated 1 May 2008 and that the said Performance Bond is null and void and/or discharged;
2. The Second Defendant has no liability to the First Defendant under the Performance Bond dated 26 November 2008 made between the Plaintiff as General Contractor and the Second Defendant as Surety for the benefit of the First Defendant in relation to the Plaintiff's obligations and liabilities under the contract for the construction of the John Gray Campus dated 1 September 2008 and that the said Performance Bond is null and void and/or discharged; and
3. All necessary further or other declarations and relief.

If the First and/or Third Defendants do not acknowledge service, such judgment may be given or order made against or in relation to them as the Court may think just and expedient.

Dated 30 day of August 2011

BROADHURST
BROADHURST LLC
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 that date unless renewed by order of the Court.

IMPORTANT

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

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 495, 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 document served on a 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 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 addition in paragraph 1 of the description "trading as (.....)" after his name.
7. Where the Defendant is a LIMITED LIABILITY COMPANY the form must be completed by an attorney-at-law or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without an attorney-at-law acting on its behalf.
8. Where the Defendant is a MINOR or a PSYCHIATRIC PATIENT, the form must be completed by an attorney-at-law 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

In the Matter of section 11(2) of the Grand Court Law (2008 Revision)

BETWEEN:

TOM JONES INTERNATIONAL LIMITED

Plaintiff

-AND-

**THE ATTORNEY GENERAL OF THE CAYMAN ISLANDS as the
representative of the CAYMAN ISLANDS GOVERNMENT (THE
MINISTRY OF EDUCATION, TRAINING, EMPLOYMENT, YOUTH,
SPORTS AND CULTURE)**

First Defendant

-AND-

ROYALSTAR ASSURANCE LIMITED

Second Defendant

**ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS**

If you intend to instruct an attorney-at-law to act for you, give this form to them IMMEDIATELY.

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

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

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2. State whether the Defendant intends to contest or otherwise participate in the proceedings.

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 an attorney-at-law represents the Defendant, 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 liability company, "residence" means the company's registered principal office.

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

BROADHURST LLC
40 Linwood Street, George Town
PO Box 2503, Grand Cayman KY1-1104
Cayman Islands

Indorsement by the **First Defendant's Attorney** (or by the First Defendant if defending in person) of his name, address and reference, if any, in the box below.

Indorsement by the **Second Defendant's Attorney** (or by the Second Defendant if defending in person) of his name, address and reference, if any, in the box below.