

IN THE GRAND COURT OF THE CAYMAN ISLANDS

GD366  
CAUSE NO: \_\_\_ OF 2011

IN THE MATTER OF THE EB TRUST DATED 17 APRIL 1995 AND AMENDED  
AND RESTATED ON 15 MARCH 2000

B E T W E E N:

STÅLE KIHLE

PLAINTIFF

AND

RAYMOND KALLEY

DEFENDANT

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ORIGINATING SUMMONS

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TO: **Mr. Raymond Kalley**  
c/o Crown Plaza City Center  
Azrieli Center  
136 Menachem Begin Street  
Tel Aviv 67021  
Israel

LET THE DEFENDANT, within    days after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, PO Box 495, George Town, Grand Cayman KY1-1104.

By this Summons, which is issued on the application of the Plaintiff, Stale Kihle, c/o Frogner Atrium, Frognerveien 8, P.O. Box 2624, Solli, N-0203. Oslo, Norway, the Plaintiff seeks the following relief:

1. A declaration that the Plaintiff is not liable pursuant to Article 6(3) of the Amendment and Restatement of the EB Trust dated 15 March 2000 and signed by Egil Braathen as Protector and Settlor of the EB Trust and the Defendant as Trustee (the "Trust Deed") or otherwise to indemnify the Defendant for the Defendant's costs of defending the proceedings brought under Cause Number 226 of 2008 or for any other costs.
2. Further or other relief.
3. Costs.

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 19th day of September 2011

Appleby (Cayman) Ltd  
APPLEBY (CAYMAN) LTD  
Attorneys-at-Law for the Plaintiff

NOTE – This Summons may not be served later than 4 calendar months (or, if leave is required to serve out of the jurisdiction, 6 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 WAS ISSUED by Appleby (Cayman) Ltd, Attorneys-at Law for the Plaintiff, whose address for service is that of his said attorneys, Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref. CDP/KLB/316902.0002)

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE  
OF ORIGINATING SUMMONS**

The accompanying form of Acknowledgement 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, PO Box 495 GT, George Town, Grand Cayman KY1-1104.

**Notes for Guidance**

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement 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.

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ACKNOWLEDGMENT OF SERVICE OF  
ORIGINATING SUMMONS

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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.

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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 (tick appropriate box)

YES

NO

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Service of the Originating Summons is acknowledged accordingly

\_\_\_\_\_

Date: \_\_\_\_\_ 2011

Attorneys for Defendant

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 or principal office.

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

Appleby (Cayman) Ltd  
Attorneys-at-Law  
Clifton House  
75 Fort Street  
PO Box 190  
Grand Cayman KY1-1104  
Ref: 316902.0002

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