

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 177 OF 1997

BETWEEN:

(1) THOMAS W. QUINTIN First Plaintiff  
(2) SANDRA J. WESTPHAL Second Plaintiff

AND:

(1) PHILLIPS PETROLEUM COMPANY First Defendant  
(2) CIBC BANK AND TRUST COMPANY Second Defendant  
(CAYMAN) LIMITED

ORIGINATING SUMMONS

TO: PHILLIPS PETROLEUM COMPANY  
c/o W.S. Walker & Company  
Caledonian House, George Town,  
Grand Cayman, Cayman Islands

or alternatively

c/o Mr. Sydney Jordan, Legal Counsel  
1101 Adams Building,  
Bartlesville, Oklahoma, USA,  
74004

AND TO: CIBC BANK AND TRUST COMPANY (CAYMAN) LIMITED  
P.O. Box 695, George Town,  
Grand Cayman, Cayman Islands

LET THE DEFENDANTS within 14 days after service of this Summons on them, counting the day of service, return the accompanying Acknowledgement of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman, Cayman Islands.

By this Summons, which is issued on the application of THOMAS W. QUINTIN and SANDRA J. WESTPHAL, of P.O. Box 30342SMB, Grand





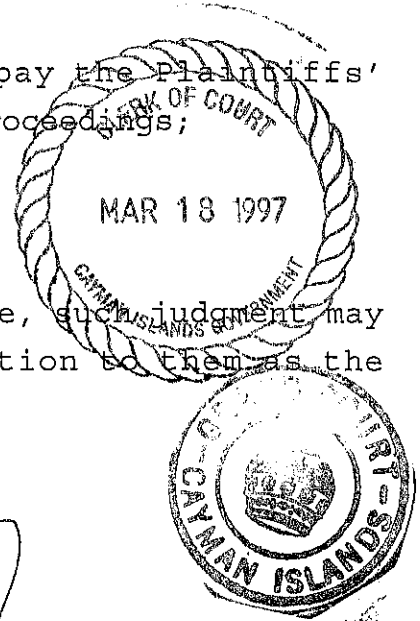
Cayman, Cayman Islands, the Plaintiffs claim against the Defendants the following relief:-

1. A declaration that in the events which have happened, the Second Defendant is discharged and exonerated from all liability under a letter of guarantee addressed to the First Defendant dated May 19, 1995 (the "letter of guarantee");
2. An order that the First Defendant deliver up the letter of guarantee forthwith to the Second Defendant;
3. An order that the First Defendant do pay the Plaintiffs' and Second Defendant's costs of these proceedings;
4. Further or other relief.

If the 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 the 18<sup>th</sup> day of March, 1997.

CHARLES ADAMS, RITCHIE & DUCKWORTH  
Attorneys-at-Law for the Plaintiffs



IMPORTANT

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

This Originating Summons was issued by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law, for and on behalf of the Plaintiffs herein whose address for service is that of their said Attorneys-at-Law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I.



DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE  
OF ORIGINATING SUMMONS

The accompanying form of Acknowledgement of Service should be completed by an attorney acting on behalf of the person served or by the individual if acting in person. After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

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. For the purpose of calculating the period of 14 days for acknowledging service, an originating summons served on the Defendant personally is treated as having been served on the day it was delivered to him.
3. 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)".
4. 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.
5. 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.
6. 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 steps in the proceedings without an attorney acting on its behalf.

7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an attorney acting for a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts office.
9. If you do not acknowledge service of the originating summons you will be bound by any judgement in the action as if you were a party thereto.





Defendant in person: where an individual 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.

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

CHARLES ADAMS, RITCHIE &  
DUCKWORTH, Attorneys-at-Law  
P.O. Box 709G, George Town,  
Grand Cayman, B.W.I.  
Attn: G.F. Ritchie 527/001GFR

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

[Empty box for defendant's attorney indorsement]