

IN THE GRAND COURT OF THE CAYMAN ISLANDS

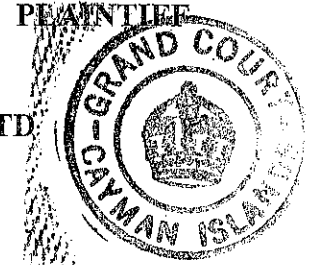
CAUSE NO. 76 OF 2012

BETWEEN:

RC CAYMAN HOLDINGS LLC

AND

- (1) CESAR PROPERTIES LTD
- (2) CONDOCO GRAND CAYMAN RESORT LTD
- (3) MICHAEL RYAN
- (4) FRANCES DOUD
- (5) TONY HADDAD
- (6) NORMAN KLEIN



DEFENDANTS

WRIT OF SUMMONS

TO: Cesar Properties Ltd
Appleby Trust (Cayman) Ltd
P.O. Box 1350
Clifton House, 75 Fort Street
Grand Cayman - KY1-1108

Frances Doud
The Ritz Carlton,
Grand Cayman Resort
P.O. Box 32318
Grand Cayman KY1-1209

Condoco Grand Cayman Resort Ltd
Appleby Trust (Cayman) Ltd
P.O. Box 1350
Clifton House, 75 Fort Street
Grand Cayman KY1-1108

Tony Haddad
The Ritz Carlton,
Grand Cayman Resort
P.O. Box 32318
Grand Cayman KY1-1209

Michael Ryan
The Ritz Carlton
Grand Cayman Resort
P.O. Box 32318
Grand Cayman KY1-1209

Norman Klein
Appleby
P.O. Box 190
Clifton House
Grand Cayman - KY1-1104

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

Within 14 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P. O. Box 495, George Town, Grand Cayman, 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 17th day of February 2012.

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.

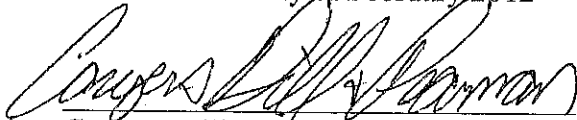
ENDORSEMENT

The Plaintiff claims:

1. As against the First and Second Defendants (the "Chargors"),
 - (a) a declaration that the Plaintiff is entitled to exercise its powers of attorney over the Chargors pursuant to the Loan Agreement dated 16 April 2007 (as amended on 10 January 2008), the Amended and Restated Collateral Debenture dated 10 January 2008 and the Amended and Restated Debenture dated 10 January 2008; and,
 - (b) an injunction as against the Chargors, restraining them from interfering with the Plaintiff's proper exercise of its powers of attorney over the Chargors.

2. As against the Third to the Sixth Defendants (the "Old Ex Co"),
 - (a) a declaration that the Plaintiff is entitled to exercise all valid rights and seek all remedies of the Chargors and to otherwise act in the name of the Chargors pursuant to the Plaintiff's power of attorney over the Chargors;
 - (b) a declaration that the executive committee appointed by the Plaintiff pursuant to its power of attorney (the "Executive Committee") is the valid executive committee of Strata Plan No. 404, Strata Plan No. 436, Strata Plan No. 437, Strata Plan No. 438 and Strata Plan No. 447 (the "Strata") pursuant to and subject to the terms of the relevant Strata By-Laws;
 - (c) an injunction restraining the Old Ex Co from interfering with the rights and duties the Executive Committee;
 - (d) damages;
 - (e) such further relief as this Honourable Court deems just; and
 - (f) costs.

Dated this 17th day of February 2012



Conyers Dill & Pearman
Attorneys at Law for the Plaintiff

This Writ of Summons was filed by Messrs Conyers Dill & Pearman, Attorneys-at-Law for and on behalf of the Plaintiff, whose address for service is Boundary Hall, Cricket Square, P.O. Box 2681, Grand Cayman KY1-1111, Cayman Islands

BETWEEN:

RC CAYMAN HOLDINGS LLC

PLAINTIFF

AND

- (1) CESAR PROPERTIES LTD
- (2) CONDOCO GRAND CAYMAN RESORT LTD
- (3) MICHAEL RYAN
- (4) FRANCES DOUD
- (5) TONY HADDAD
- (6) NORMAN KLEIN

DEFENDANTS

**ACKNOWLEDGMENT OF SERVICE
OF WRIT OF 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.

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.



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



2. State whether the Defendant intends to contest the proceedings (tick appropriate box)
 yes no



3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box)
 yes no

Service of the Writ of Summons is acknowledged accordingly

(Signed).....

Please complete overleaf

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.

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

Conyers Dill & Pearman
Boundary Hall, Cricket Square
PO Box 2681
Grand Cayman KY1-1111

Ref: NKM/DFH/704846

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