

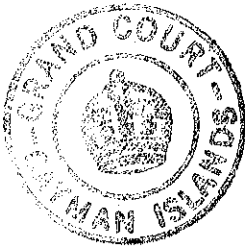
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO 1166 OF 2012

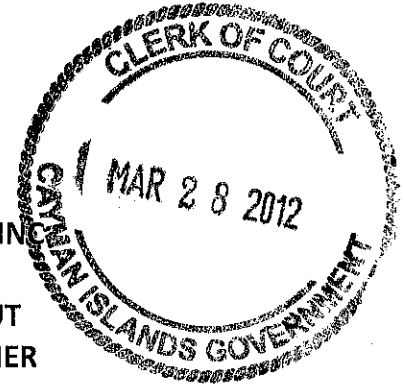
IN THE MATTER of Section 9 of the Strata Titles Registration Law (2005 Revision) ("the Law")

AND IN THE MATTER of Strata Plan No. 550 being the Deckhouses at the Ritz-Carlton Grand Cayman Resort ("Strata 550")

BETWEEN:



- (1) ROBERT SADLER
- (2) MOON MANAGEMENT SERVICES, INC.
- (3) SCOT FOITH
- (4) SUSAN DE SILVA AND TIM TROUT
- (5) MICHAEL AND CYNTHIA MORTIMER



Plaintiffs

AND

- (1) THE PROPRIETORS, STRATA PLAN NO. 550
- (2) CESAR PROPERTIES LTD.

Defendants

ORIGINATING SUMMONS

TO: The Proprietors, Strata Plan No. 550 c/o PO Box 1350, Grand Cayman KY1-1108 and Cesar Properties Ltd. (In Receivership) c/o PO Box 1350, Grand Cayman KY1-1108 and c/o KPMG, P.O. 493, Century Yard, Cricket Square, Grand Cayman KY1-1106;

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 Courts Office, PO Box 495, Grand Cayman KY1-1106

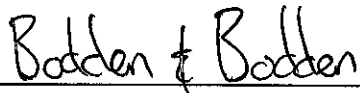
By this Summons, which is issued on the application of Robert Sadler of 18 Brookhaven Lane, Columbine Valley, Colorado, USA, Moon Management Services, Inc. of 5921 NW Barry Road, Suite 300, Kansas City, Kansas, USA, Scot Foith of 6800 High Gate Road, Plano, Texas, USA, Susan de Silva and Tim Trout of PO Box 1068, Grand Cayman KY1-1108 and Michael and Cynthia Mortimer of 1604 Kirby Lane, Raleigh, North Carolina, USA, the Plaintiffs seeks the following relief:

1. An order that Christopher D. Johnson and Russell S. Homer ("the Administrators") of Chris Johnson Associates Ltd. be appointed administrators of Strata 550 until further order of this Court.
2. An order vesting in the Administrators all the powers vested in the Second Defendant, its Executive Committee and the Chairman thereof whether by the Law, the By-Laws or otherwise and, without prejudice to the generality of the forgoing, powers to:
 - a. Examine the accuracy of previous strata fees of Strata 550;
 - b. Ascertain whether the fees due by Strata 550 to Strata 404 are correct on the basis of unit entitlement; and
 - c. Ascertain whether any further action is necessary and if so apply to the Court for further directions;
 - d. Examine the accounting records since inception and liaise with the preparer of such records;
 - e. Liaise with the receivers, owners of strata or sub-strata units and other strata or sub-strata committees within Strata 404;
 - f. Collect any amounts due to Strata 550;
 - g. Take any legal action necessary to recover any amounts due to Strata 550
 - h. Pay the expenses of Strata Plan 550
 - i. Apply for the appointment of themselves as administrators of Strata Plan 404.
3. The administrators shall have liberty to apply from time to time for further directions or other, including declaratory, relief from the Court (including for leave to commence actions on behalf of the Strata 550 should that be needed).
4. All accounting records and books of the Strata 550 be provided to the administrators within fourteen (14) days.

5. The costs of all parties of this application are to be an administrative expense of Strata 550 within the meaning of the Law.
6. The giving of security by the administrators be dispensed with.

If the Defendants, or either of them, do not acknowledge service, such judgment may be given or order made against or in relation to the Defendant not acknowledging service as the Court may consider just and expedient.

Dated this 28th day of March, 2012



Bodden & Bodden

Attorneys for the Plaintiffs

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.

This Originating Summons was filed by Bodden & Bodden Litigation for the Applicants, whose address for service is that of the said attorneys, namely 81 West Church Street, P.O. Box 742, Grand Cayman KY1-1303, Cayman Islands [Reference: 1231-0001/DRD/SPS].

**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 495GT, 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 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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO

OF 2012

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AND IN THE MATTER of Strata Plan No. 550 being the Deckhouses at the Ritz-Carlton Grand Cayman Resort ("Strata 550")

BETWEEN:

(1) ROBERT SADLER
(2) MOON MANAGEMENT SERVICES, INC.
(3) SCOT FOITH
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(5) MICHAEL AND CYNTHIA MORTIMER

Plaintiffs

AND

(1) THE PROPRIETORS, STRATA PLAN NO. 550
(2) CESAR PROPERTIES LTD.

Defendants

**ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING 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.

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

2. State whether the Defendant intends to contest or otherwise participate in the proceedings (*tick appropriate box*).

yes

no

Service of the Originating Summons is acknowledged accordingly.

Attorney for the Defendants

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 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.

Bodden & Bodden, Attorneys at Law
81 West Church Street
PO Box 742
Grand Cayman KY1-1303

Tel: (345) 943-0202
Fax: (345) 945-0202
E-mail: david.dinner@boddenandbodden.com

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