

THE GRAND COURT OF THE CAYMAN ISLANDS

0276

CAUSE NO. of 2012

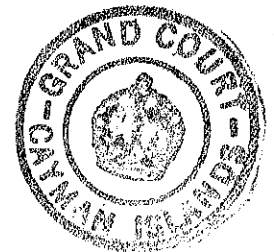
BETWEEN:

JASMON THOMALLA

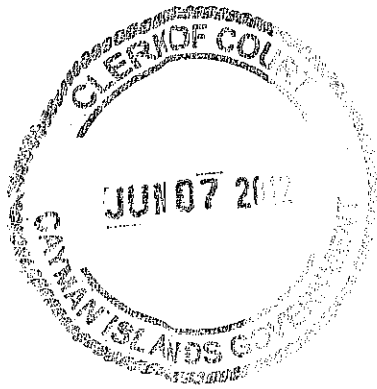
Plaintiff

-AND-

(1) MARSHDALE, S.A.
(2) WRIGHT MARITIME GROUP, LLC
(3) OWNERS MARITIME OFFICE, LLC
(4) SHEIK ABDULLAH BIN ZAYED AL NAHYAN
(5) M/C ECSTASEA



Defendants



WRIT OF SUMMONS

TO: **Marshdale S.A.** - 800 S. Andrews Avenue, Suite 200, Fort Lauderdale, Florida 33316 & c/o: Mossfon Building, 2nd Floor, East 54th, P.O. Box 0832-0886 W.T.C., Republic of Panama

AND TO: **Wright Maritime Group, LLC** - c/o Cynthia Schifflbain as the Registered Agent, 800 S. Andrews Avenue, Suite 200, Fort Lauderdale, FL. 33316

AND TO: **Owners Maritime Office, LLC** - c/o Cynthia Schifflbain as the Registered Agent, 800 S. Andrews Avenue, Suite 200, Fort Lauderdale, FL. 33316

AND TO: **Sheik Abdullah Bin Zayed Nahyan**
Abu Dhabi

AND TO: **M.C ECSTASEA** - Cayman Islands Registry Number 733751, IMO Number 1008102

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

Within fourteen (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, PO Box 495 GT, Grand Cayman, Cayman Islands, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 7th day of June 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 issued unless renewed by order of the Court.

IMPORTANT

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

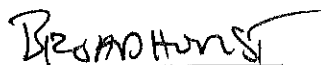
General Indorsement

On or about 9 June 2010, the Plaintiff sustained severe personal injury while on board the Fifth Defendant which is a luxury motor yacht registered in the Cayman Islands (the "Accident"). At the time of the Accident the Plaintiff had a contract of employment with the First Defendant. The Fifth Defendant is owned and/or managed by the First through Fourth Defendants.

The Plaintiff's claim is for:

1. Damages and/or compensation for:
 - a. Breach of their duty of care to the Plaintiff by the First, Second, Third and/or Fourth Defendants or their servant or agents;
 - b. Further or alternatively, breach of contract of the First, Second, Third and/or Fourth Defendants or their servant or agents;
 - c. Further or alternatively, breach of statutory duty of the First, Second, Third, Fourth and/or Fifth Defendants or their servant or agents;
2. Declaratory relief establishing that the First, Second, Third, Fourth and/or Fifth Defendants are the proper parties for the claims set out in paragraph 1 above;
3. Injunctive or other relief against the First, Second, Third, Fourth and/or Fifth Defendant;
4. Further or other relief;
5. Interest;
6. Costs.

Dated this 7th day of June 2012



Broadhurst LLC

Attorneys-at-Law for the Plaintiff

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF WRIT OF SUMMONS**

1. 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, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgement of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is endorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2). The defence must be served within fourteen (14) days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not endorsed on the Writ, the defence need not be served until fourteen (14) days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant in an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for fourteen (14) days after his Acknowledgement, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

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 fourteen (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.
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 Writ of 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 authorized 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 HEALTH 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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. of 2012

BETWEEN:

JASMON THOMALLA

Plaintiff

-AND-

(1) SHEIK ABDULLAH BIN ZAYED AL NAHYAN
(2) MARSHDALE, S.A.
(3) WRIGHT MARITIME GROUP, LLC
(4) OWNERS MARITIME OFFICE, LLC
(5) M/C ECSTASEA

Defendants

ACKNOWLEDGEMENT 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 []

Service of the Writ is acknowledged accordingly

(Signed) _____

[Attorney] for

[Defendant in Person]

Address for service:

Please see 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 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.

BROADHURST LLC
ATTORNEYS-AT-LAW
40 LINWOOD STREET
PO BOX 2503 GT
GEORGE TOWN, GRAND CAYMAN
CAYMAN ISLANDS, BRITISH WEST INDIES

Endorsement 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 endorsement]