

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 480 OF 2012



BETWEEN:

EUGENE HOFFMAN JR

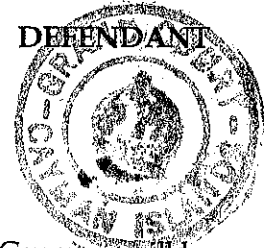
PLAINTIFF

DEC 04 2012
AND:

MYRON GUSHLAK

DEFENDANT

EX PARTE ORIGINATING MOTION



TAKE NOTICE that the Court at the Law Courts, George Town, Grand Cayman, will be moved on _____, at _____ or as soon thereafter as Counsel can be heard, by Counsel on behalf of Mr. Eugene Hoffman Jr. for an order in the terms attached hereto that a charge be granted in favour of Mr. Eugene Hoffman Jr. over the shares held by Mr. Myron Gushlak in Prodigious (Grand Cayman) Ltd and any dividends payable in respect of the shares up to the value of the sum due to Mr. Eugene Hoffman Jr. pursuant to the judgment in default made on 19 September 2012 in Cause No FSD 115 of 2012.

And for an order that the costs of and incidental to this application may be paid by Mr. Myron Gushlak.

AND FURTHER TAKE NOTICE that the grounds of this application are that Mr. Myron Gushlak is a judgment debtor to the value of the charging order sought.

Dated this 4th day of December 2012

M-t Ozannes

Mourant Ozannes, Attorneys-at-law for the Plaintiff

TO: The Clerk of the Court

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 2012

BETWEEN: EUGENE HOFFMAN JR PLAINTIFF

AND: MYRON GUSHLAK DEFENDANT

CHARGING ORDER: NOTICE TO SHOW CAUSE

UPON HEARING Counsel for the Plaintiff upon his motion dated [].

AND UPON reading the affidavit of Eugene Hoffman Jr. filed herein the [date of filing] whereby it appears that by a judgment made on the 19th day of September 2012 the Defendant was ordered to pay the Plaintiff the sum of US\$612,264.92, interest thereon of US\$14,340.82 to 7th September 2012 and accruing at a daily rate thereafter of US\$251.60 until the date of payment, the further principal sum of US\$3,450, together with such costs to be taxed on an indemnity basis if not agreed, of which the whole remains due and unpaid and that the Defendant has a beneficial interest in the asset specified in the schedule hereto:

IT IS ORDERED that unless sufficient cause to the contrary be shown at a hearing before the Grand Court on the day of 2012 at am/pm the Defendant's interest in the said asset and any dividends payable in respect of it shall, and it is ordered that in the meantime it do, stand charged with the payment of [US\$] due on the said judgment [and interest thereon at the statutory rate] together with the costs of this application.

Dated this day of 2012

Filed this day of 2012

JUDGE OF THE GRAND COURT

SCHEDULE

The shares held by the Defendant at today's date in Prodigious (Grand Cayman) Ltd (Registration No. 95650) up to the value of the sum due to the Plaintiff from the Defendant pursuant to the judgment in default made on 19 September 2012 in Cause Number FSD 115 of 2012.