

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 96 OF 2011 (PCJ)
(Originally Cause No. 329 of 2008)

IN CHAMBERS
BEFORE THE HONOURABLE JUSTICE CRESSWELL
26 April 2013

BETWEEN:

~~CIGNA WORLDWIDE INSURANCE COMPANY (BY AND THROUGH
ITS COURT APPOINTED RECEIVER, JOSIE SENESIE AND IN
RESPECT OF THE ASSETS, UNDERTAKINGS AND AFFAIRS OF ITS
LICENSED LIBERIAN BRANCH AND BUSINESS)~~

Plaintiff

AND

ACE LIMITED



Defendant

AND

1. ECHEMUS INVESTMENT MANAGEMENT LTD.
2. ECHEMUS GROUP, L.P.
3. MARTIN S. KENNEY
4. CC INTERNATIONAL LIMITED

Defendants for the purposes of costs only

ORDER

UPON the application of the Defendant by its Summons dated 24 January 2013 (the "**January Summons**") seeking leave to amend its Summons dated 10 April 2012

AND UPON the application of Martin S. Kenney and CC International Ltd. by their Summons dated 5 April 2013 (the "**April Summons**") to set aside the Order dated 18 April 2012

AND UPON reading the First Affidavit of Robert Cusumano sworn on 16 July 2008; the Second, Third, Sixth, Seventh and Eighth Affidavits of Donald W. Hawthorne sworn on 22 November 2011, 22 November 2011, 10 April 2012, 22 January 2013 and 19 April 2013 respectively; the Fourth Affidavit of Stephen Alexander sworn on 10 April 2012; the Second Affidavit of C. John Arthurton II sworn on 29 January 2013; the Second Affidavit of Jerome Faulkner sworn on 14 February 2013; the First Affidavit of Martin S. Kenney sworn on 5 April 2013; the First Affidavit of Kirk Huddles sworn on 18 April 2013; and the First Affidavit of Michele Berry sworn on 29 April 2013

AND UPON hearing Leading Counsel for the Defendant, Leading Counsel for Martin S. Kenney and CC International Limited, and Leading Counsel for Echemus Investment Management Ltd, Echemus Group, L.P. and James Little



IT IS HEREBY ORDERED THAT:

- 1 The Defendant do have leave to amend its Summons dated 10 April 2012 in the form of the draft annexed hereto (the "**Amended Summons**").
- 2 The Summons dated 5 April 2013 be dismissed.
- 3 Echemus Investment Management Ltd, Echemus Group, L.P., Martin S. Kenney and CC International Limited be added to these proceedings as Defendants for the purposes of costs only.
- 4 As to paragraph 2 of the January Summons. Permission to serve the Amended Summons on Martin S. Kenney and on CC International Limited not being required, service of any other documents on Messrs Walkers, Cayman Islands attorneys for Martin S. Kenney and CC International Limited, is sufficient.
- 5 Paragraphs 3 of the January Summons be adjourned to a date to be fixed.
- 6 The costs of the hearing be reserved.
- 7 The Defendant shall pay the costs of James Little of the proceedings against him, to be taxed on the standard basis if not agreed.

8 The Defendant shall pay the costs of Echemus Investment Management Ltd and Echemus Group, L.P. of and occasioned by paragraph 1 of the January Summons, to be taxed on the standard basis if not agreed.

DATED this 26th April 2013

FILED this 27th May 2013

Cresswell J

The Honourable Justice Cresswell
Judge of the Grand Court



DRAFT

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 96 OF 2011 (PCJ)
(Originally Cause No: 329 of 2008)

BETWEEN:

CIGNA WORLDWIDE INSURANCE COMPANY (BY AND THROUGH
ITS COURT APPOINTED RECEIVER, JOSIE SENESIE AND IN
RESPECT OF THE ASSETS, UNDERTAKINGS AND AFFAIRS OF ITS
LICENSED LIBERIAN BRANCH AND BUSINESS)

Plaintiff

AND

ACE LIMITED



Defendant

AMENDED SUMMONS

LET ALL THE PARTIES attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the day of 201**23** at upon an application by the Defendant for the following orders:

- 1 The following individuals and entities ("**Costs Parties**") be joined as parties to the proceedings for the purposes of paying, jointly and severally, the unsatisfied costs orders in paragraph 2 of the Order dated 27 January 2012 and paragraph 2 of the Default Judgment of 27 February 2012 **on the indemnity basis, alternatively the standard basis:**
 - 1.1 Echemus Investment Management Ltd., a limited company incorporated in the B.V.I.;
 - 1.2 Echemus Group, L.P., a limited partnership established in the B.V.I.;
 - 1.3 ~~Echemus International, Ltd. a limited company incorporated in the B.V.I.;~~
 - 1.4 Martin S. Kenney, a Canadian national, resident in the B.V.I.;

- 1.5 CC International Limited, a limited company incorporated in Nevis;
- 1.6 ~~James Little, a U.S. national, resident in the U.S.~~
- 2 The hearing of this Summons be listed for 21 days after service on the Costs Parties.
- 3 Such further or alternative orders or directions as this Honourable Court sees fit.
- 4 Costs.

DATED this 10th day of April 2012

RE-DATED this day of 2013

Maples and Calder



TO: The Clerk of the Court

AND TO: Walkers, attorneys for the Plaintiff (Attn: Nick Dunne)

AND TO: Ogier, attorneys for Echemus Investment Management Ltd. and Echemus Group, L.P. (Attn: Richard de Lacy QC)

AND TO: Martin S. Kenney, Martin Kenney & Co, Third Floor, Flemming House, Road Town, Tortola, BVI

AND TO: CC International Limited, Dixcart Management Nevis Limited, P.O. Box 598, Dixcart House, Fort Charles, Charlestown, Nevis, Saint Kitts and Nevis

TIME ESTIMATE: The estimated length of the hearing of this Amended Summons is half a 2 days.

THIS AMENDED SUMMONS was issued by Maples and Calder, attorneys for the Defendant, whose address for service is PO Box 309, Uglan House, Grand Cayman, KY1-1104, Cayman Islands. (Ref: CDM/JJG/SBA/011166/2320714325044999).