IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 371 OF 1997

In the matter of **United Nations Security Council Resolution No. 1022 of 1995**

And in the matter of **The Serbia and Montenegro (United Nations Sanctions) (Dependent Territories) Orders 1992 and 1993**

BETWEEN: **THE FEDERAL DIRECTORATE OF SUPPLY AND PROCUREMENT** (a body incorporated under the laws of the Federal Republic of Yugoslavia) Plaintiff

AND: **THE BANK OF NEW YORK** Defendant

GRAND COURT - CAYMAN ISLANDS
CLERK OF COURT JUN 13 1997 CAYMAN ISLANDS GOVERNMENT

ORIGINATING SUMMONS

To: THE BANK OF NEW YORK
c/o Bank of Butterfield International (Cayman) Ltd.
Butterfield House
P.O. Box 705, George Town
Grand Cayman

LET THE DEFENDANT , within 14 days after service of this Summons on it, counting the day of service, return the accompanying Acknowledgment of Service to the Courts Office, P.O. Box 495, George Town, Grand Cayman.

By this Summons, which is issued on the application of The Federal Directorate of Supply and Procurement, whose address is c/o the offices of its attorneys, Quin & Hampson, of Harbour Centre, Third Floor, P.O. Box 1348, George Town, Grand Cayman, B.W.I., the Plaintiff claims against the Defendant the following relief:

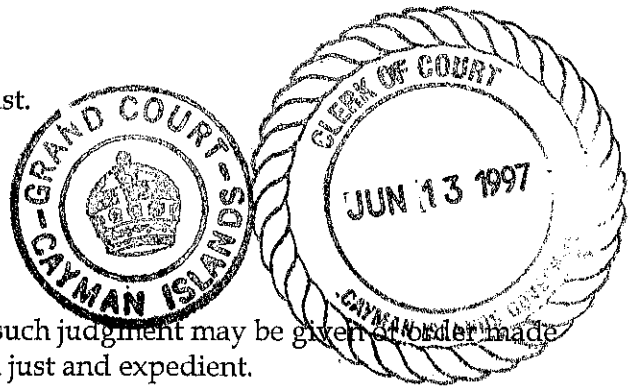
(1) A declaration that by reason of United Nations Security Council Resolution No. 1022 of 1995 suspending sanctions against Serbia and Montenegro, the operation of The Serbia and Montenegro (United Nations Sanctions) (Dependent Territories) Orders 1992 and 1993 is suspended in the Cayman Islands to the extent required by the said Resolution.

(2) A declaration that to the extent that the Plaintiff and the Defendant were ever prohibited from dealing with the funds in the Plaintiff's account numbered 1078758400 at the Cayman Branch of the Defendant by one or both of the said Orders, they are no longer prohibited from so doing.

(3) An order that the Defendant release the funds in the said account to the Plaintiff or at the Plaintiff's direction.

(4) Such further and other relief as may be just.

(5) Costs.



If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation to it as the Court may think just and expedient.

DATED the 13th day of June, 1997

Quin & Hampson

QUIN & HAMPSON
Attorneys-at-Law for the Plaintiff

NOTE - This Summons may not be served later than 4 calendar months beginning with that date unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

This Originating Summons was issued by Messrs. Quin & Hampson, Attorneys-at-Law for and on behalf of the Plaintiff herein, whose address for service is Harbour Centre, Third Floor, P.O. Box 1348, George Town, Grand Cayman, B.W.I.

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AND: **THE BANK OF NEW YORK** Defendant

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.**

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

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

Service of the Originating Summons is acknowledged accordingly

(Signed) .....

[Attorney] for

[Defendant in person]

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.

Please complete overleaf

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

Quin & Hampson Attorneys-at-Law Harbour Centre Third Floor George Town Grand Cayman B.W.I.

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