

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN, GRAND CAYMAN**

48
CAUSE NO: 6008 OF 2014

In the Matter of Sections 44 and 54 of the Companies Law (2013 Revision)

BETWEEN:

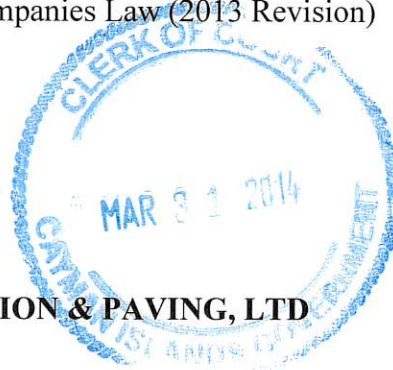
K.P.'s HEAVY EQUIPMENT LTD.

AND:

ADVANCED ROAD CONSTRUCTION & PAVING, LTD

PLAINTIFF

DEFENDANT



ORIGINATING SUMMONS

LET THE DEFENDANT, ADVANCED ROAD CONSTRUCTION & PAVING, LTD, with registered offices kept at

Advanced Fund Administration (Cayman) Ltd.
P.O. Box 1748
Cayman Corporate Centre
27 Hospital Road
George Town
Grand Cayman
Cayman Islands

attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the day of 2014, at o'clock on the hearing of an application by the Plaintiff, with registered offices kept at 944 High Rock Road, East End, Grand Cayman, Cayman Islands that:

1. The Defendant be compelled to provide the Plaintiff with immediate inspection and a copy of the Defendant's register of members by virtue of section 44(3) of the Companies Law (2013 Revision); and
2. The Defendant and its directors and managers pay such penalties for refusal of the inspection of its register of members as are prescribed by section 44(3) of the Companies Law (2013 Revision); and
3. The Defendant be compelled to provide the Plaintiff with immediate inspection of the Defendant's register of mortgages and charges by virtue of section 54(3) of the Companies Law (2013 Revision);

4. The officers, directors and managers of the Defendant company pay such penalties for refusal of the inspection of its register of members as are prescribed by section 54(3) of the Companies Law (2013 Revision); and
5. The cost of this application be borne by the Defendant or such other party as the Court deems fit.

AND LET THE DEFENDANT within 14 days after service of this summons on him counting the day of service, return the accompanying Acknowledgment of Service to the Courts office.

Dated the 8th day of March 2014.



Stenning & Associates
Attorneys-at-Law for the Plaintiff

 **STENNING
& ASSOCIATES**
ATTORNEYS-AT-LAW

NOTES:-

- (1) 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 the above date unless renewed by order of the Court.
- (2) If a defendant does not attend personally or by his attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient.

IMPORTANT

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

Acknowledgement of service of originating summons (0.10, r.5)

**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 495G, 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
HOLDEN AT GEORGE TOWN, GRAND CAYMAN**

CAUSE NO: ^{G0048} OF 2014

BETWEEN:

K.P.'s HEAVY EQUIPMENT LTD.

PLAINTIFF

AND:

ADVANCED ROAD CONSTRUCTION & PAVING, LTD

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.

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

(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.

Stenning & Associates
Attorneys-at-Law for the Plaintiff
4th Floor, Harbour Centre
42 North Church Street
George Town, Grand Cayman

Tel: (345) 945 0220

E-mail: jstenning@stenning.ky

Ref: 1341/001

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

