

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD 97 OF 2013

IN THE MATTER of the Declaration of Trust made on 28th December 1999 by
Meespierson (Cayman) Limited known as the JC Trust

AND IN THE MATTER of the Trusts Law (2011 Revision)

BETWEEN:

SCOTIABANK & TRUST (CAYMAN) LTD

AND

- (1) DAVID AXELROD
- (2) RHODA SMITH
- (3) DAVID MONCRIEFF
- (4) JULIE CUARTERO-MAJORS
- (5) JELLIAN CUARTERO-MAJORS

Plaintiff

Defendants

AMENDED ORIGINATING SUMMONS

TO: DAVID AXELROD of 1211 Fifth Avenue, Suite 1900 Portland, Oregon,
97204-3795, USA

AND TO: RHODA SMITH of P. O. Box 5133 Saipan, MP 96950

AND TO: DAVID MONCRIEFF of 6419 Dogwood Lane, Kent, British Columbia,
Canada

AND TO: JULIE CUARTERO-MAJORS of Anderson Square Building, Shedden
Road, George Town, Grand Cayman, Cayman Islands

AND TO: JELLIAN CUARTERO-MAJORS of Colony Villas apartment 10165-555
Waikaloa Drive, Big Island, 96738, USA

LET THE DEFENDANTS, DAVID AXELROD, RHODA SMITH, DAVID MONCRIEFF, JULIE CUARTERO-MAJORS, JELLIAN CUARTERO-MAJORS, within 28 days after service of this Amended Originating Summons on them, counting the day of service, return the accompanying acknowledgment of service to the Court Office, P.O. Box 495 GT, George Town, Grand Cayman KY1-1106, Cayman Islands B.W. I.

BY THIS AMENDED ORIGINATING SUMMONS which is issued on the application of the Plaintiff SCOTIABANK & TRUST (CAYMAN) LTD of 6 Cardinal Avenue, Grand Cayman, Cayman Islands, who is trustee of the said Declaration of Trust ("the Settlement"), against the Defendants (whose addresses are given above and who are interested under the Settlement), the Plaintiff seeks the following relief:

1. Directions as to what steps the Plaintiff should take, if any, in relation to proceedings issued by or on behalf the Fifth Defendant in the Circuit Court of the State of Oregon for the County of Multnomah Probate Department, Case No 13-1191767 (the "US Proceedings") seeking relief from that Court in relation to the Settlement as the same is set out in papers purportedly served on the Plaintiff in relation thereto by being sent to it through the United States Postal Service on 22 November 2013.
2. An order that the Plaintiff shall be authorised to meet the costs of any steps directed to be taken in relation to the US Proceedings on an indemnity basis out of the income and/or capital of the Settlement or as the Court otherwise deems appropriate.

3. Determination of the question whether on the true construction of the Settlement and in the events which have happened, the Fifth Defendant has now become a US Person for the purposes of the Settlement and, in particular but without limitation, clause 3.5 thereof with the consequences that the Settlement has now terminated according to its terms and that the Plaintiff now holds the capital and income of the Settlement, other than the fund set aside for the Fourth Defendant under clause 3.1.3 thereof, on the terms of the IC US Trust of which it is also trustee.

41 Directions, in the event that the answer to the question posed in paragraph 3 hereof is in the negative, as to what steps the Plaintiff should take, if any, in relation to potential claims against the Greek State ("Greek Proceedings") catergorised as follows:

- (a) unjust enrichment claim and
- (b) recovery of property taxes

52. If the Court directs that the Plaintiff commences Greek Proceedings through to trial, an order that the Plaintiff shall be authorised to meet the costs of the steps necessary on an indemnity basis out of the income and/or capital of the Trust or as the Court otherwise deems appropriate.

63. That the costs of this application be raised and paid on an indemnity basis out of the income and/or capital of the Trust, or as the Court otherwise deems appropriate.

74. All further and necessary orders and directions as this Honourable Court shall think fit, including, if necessary, directions as to any necessary representation orders and service of these proceedings.

85. Such further or other relief as the Court thinks fit.

~~Dated this 18th day of July 2013~~

Re-Dated this 20th day of November 2014

Conyers Dill & Pearman (Cayman) Ltd.
CONYERS DILL & PEARMAN (CAYMAN) LTD
Attorneys-at-Law for the Plaintiff

If the Defendants do not acknowledge service, judgment may be given or made against, or in relation to them, as the Court may think just and expedient.

NOTE: This Amended Originating Summons may be served not later than 4 calendar months (or if leave is required to effect notice out of the jurisdiction, 6 months) beginning with that date, unless renewed by order of the Court.

IMPORTANT: Directions for acknowledgment of service are given with the accompanying forms.

THIS AMENDED ORIGINATING SUMMONS was issued by Conyers Dill and Pearman (Cayman) Ltd. on behalf of the Plaintiff whose address for service is Cricket Square, Hutchins Drive, P.O. Box 2681, Grand Cayman, KY1-1111, Cayman Islands.

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD OF 2011

IN THE MATTER of the Declaration of Trust made on 28th December 1999 by
Meespierson (Cayman) Limited known as the JC Trust

AND IN THE MATTER of the Trusts Law (2011 Revision)

BETWEEN:

SCOTIABANK & TRUST (CAYMAN) LTD

Plaintiff

AND

- (1) DAVID AXELROD
- (2) RHODA SMITH
- (3) DAVID MONCRIEFF
- (4) JULIE CUARTERO-MAJORS
- (5) JELLIAN CUARTERO-MAJORS

Defendants

ACKNOWLEDGMENT OF SERVICE
OF AMENDED 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 the 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 Amended 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 Amended Originating Summons is acknowledged accordingly.

Attorney for the Defendant

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.

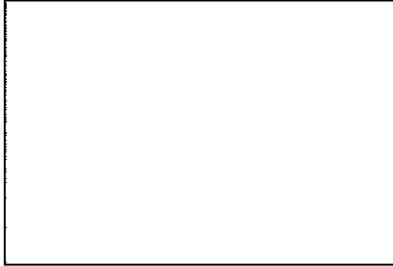
Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must given an address in Grand Cayman where communications for him should be sent. In the case of a limited 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.

Conyers Dill & Pearman
(Cayman) Limited
Attorneys-at-Law
PO Box 2681
Grand Cayman KY1-1111
Cayman Islands

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



**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF AMENDED ORIGINATING SUMMONS**

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, P.O. Box 495G, George Town, Grand Cayman.

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 Amended 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.