

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 371 OF 1995

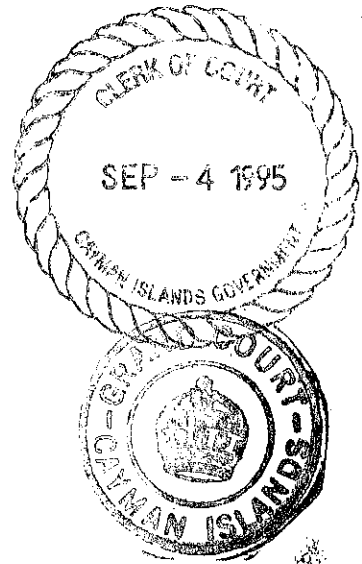
In the matter of ORDER 17 OF THE GRAND COURT RULES 1995

And in the matter of an application by TRIDENT TRUST COMPANY (CAYMAN) LIMITED for interpleader relief against the claims of Alan Carr and Equistar Braun, Inc. in respect of the beneficial entitlement to funds controlled by Trident Trust Company (Cayman) Limited for Equistar Offshore Ltd.

BETWEEN: TRIDENT TRUST COMPANY (CAYMAN) LIMITED. PLAINTIFF
AND: (1) ALAN CARR FIRST DEFENDANT
(2) EQUISTAR BRAUN, INC. SECOND DEFENDANT

ORIGINATING SUMMONS

TO: (1) ALAN CARR
c/o Schlam Stone & Dolan, Attorneys-at-Law
26 Broadway,
New York, NY 10004
(2) EQUISTAR BRAUN, INC.
c/o Sirota & Sirota, Attorneys-at-Law
747 Third Avenue,
New York, NY 10017



LET ALL PARTIES concerned attend before a Judge in Chambers at the Grand Court, George Town, Grand Cayman, on the day of 1995, at o'clock in the noon on the hearing of an application by the Plaintiff, that the First and Second Defendants appear and state the nature and particulars of their respective claims to the abovementioned monies in dispute and maintain and relinquish the same and abide by such order as may be made herein.

AND LET THE DEFENDANTS within 28 days after service of this summons on them counting the day of service, return the accompanying Acknowledgment of Service to the office of the Grand Court of the Cayman Islands, George Town, Grand Cayman.

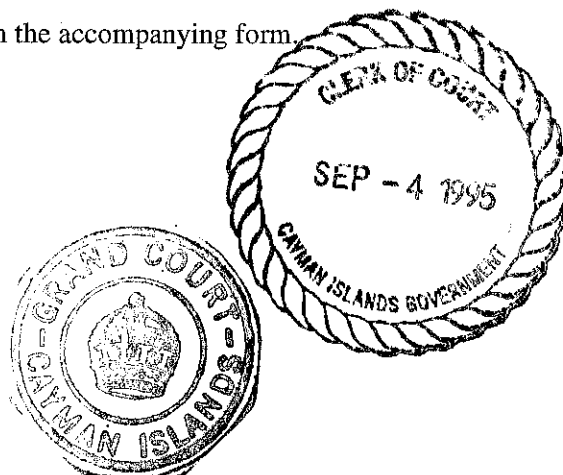
DATED this 1st day of September 1995.

W.S. Walker & Company
W. S. WALKER & COMPANY
Attorneys-at-Law for the Plaintiff

- NOTE:
1. This Summons may not be served later than 6 calendar 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 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.



This Originating Summons was issued by W.S. Walker & Company, P.O. Box 265, Caledonian House, George Town, Grand Cayman, Attorneys-at-Law for and on behalf of Trident Trust Company (Cayman) Limited whose address for service is that of its said Attorneys-at-Law.

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BETWEEN: TRIDENT TRUST COMPANY (CAYMAN) LIMITED. PLAINTIFF

AND: (1) ALAN CARR FIRST DEFENDANT

(2) EQUISTAR BRAUN, INC. SECOND 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 the proceedings (*tick appropriate box*)

_____ yes _____ no

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (*tick where appropriate*)

_____ yes

Service of the Summons is acknowledged accordingly.

(Signed) _____

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 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.

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

W.S. Walker & Company
Caledonian House
P.O. Box 265GT
Grand Cayman
Cayman Islands

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

**DIRECTION FOR ACKNOWLEDGMENT OF SERVICE OF
WRIT OF SUMMONS**

1. 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.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See over for notes for guidance

Please complete overleaf

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 Court's office.
2. 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.
3. 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 Writ of Summons*)".
4. 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.
5. 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.
6. 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.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad item.
8. A Defendant acting in person may obtain help in completing the form at the Court's office.