

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 19 OF 2016

IN THE MATTER OF SECTION 132 OF THE REGISTERED LAND LAW (2004 REVISION)

AND IN THE MATTER OF WEST BAY BEACH NORTH BLOCK 11D PARCEL 21H23

BETWEEN:

WESTERN PROPERTIES LTD.

(a non-resident company incorporated in the Cayman Islands with registration number 18476 and with its registered office at c/o Summit Management Limited, P.O. Box 32311, Governors Square, Suite #4-210, KY1-1209, Grand Cayman, Cayman Islands)

Plaintiff

AND:

(1) NOMOSS LTD.

(a non-resident company incorporated in the Cayman Islands with registration number 61132 and with its registered office at c/o Intertrust Trustees II (Cayman) Limited, 190 Elgin Avenue, George Town, Grand Cayman KY1-9005, Cayman Islands)

First Defendant

(2) THE REGISTRAR OF LANDS

(at Lands and Survey Department, Cayman Islands Government, Government Administration Building, 113 Elgin Avenue, George Town, Grand Cayman, Cayman Islands)

Second Defendant

EX PARTE ORIGINATING SUMMONS

16th February 2016 @ 11:00 AM

LET ALL PARTIES CONCERNED attend before Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the day of 20, at o'clock, on the hearing of an application by the Plaintiff for orders and declarations that:

1. The Second Defendant shall not enter a Restriction in the Proprietorship Section of the Land Register of the property at West Bay Beach North Block 11D Parcel 21H23 (the "Property") under section 132 of the Registered Land Law (2004 Revision) at the request of the First Defendant on the basis of the First Affidavit of Mr Colin Patterson sworn on 14 December 2015 or, if such a Restriction has been entered, the Second Defendant shall forthwith remove it from the Land Register.
2. That an account be taken of the loss and damages suffered by the Plaintiff in respect of the request by the First Defendant, and that orders be made in respect of the payment of such losses and damages by the First Defendant or otherwise as the Court deems fit.
3. That the Plaintiff's costs of and incidental to this application be payable by the Second Defendant on the indemnity basis or on such other basis as the Court deems fit.
4. Such further or other relief as the Court deems fit.

DATED the 5th day of February 2016.

Maples and Calder

Maples and Calder
Attorneys for the Plaintiff

TIME ESTIMATE: The estimated length of the hearing of this summons is half a day.

This Summons was issued by Maples and Calder, Attorneys-at-Law for the Plaintiff, whose address for service is PO Box 309, Uglund House, South Church Street, George Town, Grand Cayman (Ref: MWI/AAP/705473.1/40059004).