

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 78 OF 1997

BETWEEN
AND

M GROUP RESORTS S.A.
ANDRADE GUTIERREZ
CONTRACTORS INC.

PLAINTIFF
DEFENDANT

WRIT OF SUMMONS

TO: **ANDRADE GUTIERREZ CONTRACTORS INC.**
C/o Maples and Calder
P O Box 309, Ugland House, George Town, Grand Cayman

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

Within *14 days* after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495G, George Town, Grand Cayman, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this ^{15th} 14th day of July 1997.

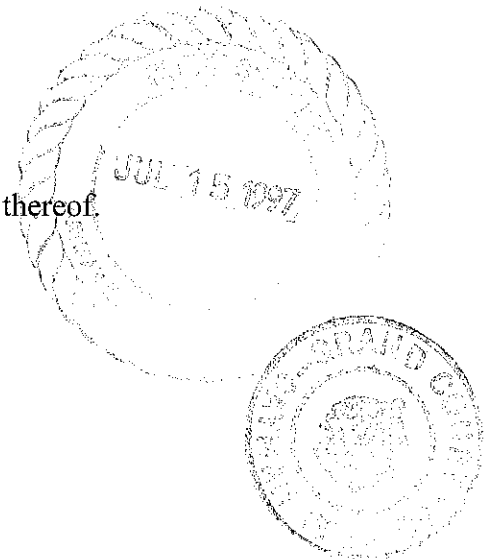
NOTE - This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue unless renewed by order of the Court.

IMPORTANT

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

STATEMENT OF CLAIM

1. The Plaintiff is a company organised and existing under the laws of the Republic of Panama.
2. The Defendant is a company organised and existing under the laws of the Cayman Islands with its registered office at c/o Maples and Calder, P O Box 309, Ugland House, George Town, Grand Cayman.
3. On 11th July 1997 the Plaintiff obtained a judgment ("the Judgment") against the Defendant in proceedings in the Queen's Bench Division of the High Court of Justice for England and Wales ("the proceedings") in the sum of US\$3,519,210.00 together with costs to be taxed if not agreed.
4. The High Court of Justice of England and Wales had jurisdiction over the Defendant by virtue of the fact that the Defendant submitted to the jurisdiction of that Court by:
 - (a) voluntarily appearing in the proceedings by making an application to set aside an ex-parte Order made on 24th May 1996 by which the Plaintiff obtained leave to enforce an arbitration award of Mr. John Uff Q.C. made on 2nd August 1995 in the same manner as a judgment and to enter judgment in terms of the award; and/or
 - (b) agreeing in a written contract made between the parties on 24th November 1989 ("the Contract") to submit all disputes concerning the Contract to arbitration and by agreeing that the provisions of the Arbitration Acts 1950 and 1979 would apply to any arbitration under the agreement.
5. The Judgment is final and conclusive.
6. The Defendant has failed to satisfy the Judgment or any part thereof.



7. The Plaintiff claims interest on the Judgment at the prescribed rate from the date of Judgment to the date hereof pursuant to S34 of The Judicature Law (1995 Revision).

PARTICULARS

US\$3,519,210 at 7 3/8% from 11th July 1997

to the date hereof, i.e. 3 days at US\$716.07 per day

US\$2,133.21

AND THE PLAINTIFF CLAIMS AGAINST THE DEFENDANT:

1. The said sum due under the Judgment being US\$3,519,210.00.
2. Pre-judgment interest pursuant to statute to the date hereof in the sum of US\$2,133.21 and continuing at the rate of US\$711.07 per day.
3. Costs.

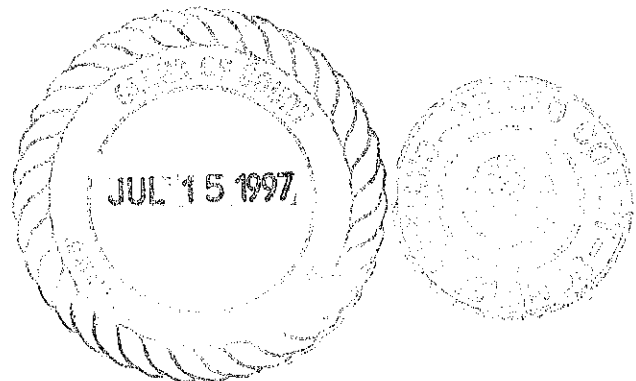
If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed of US\$3,521,343.21 and CI\$10,600 in respect of costs and fees further proceedings will be stayed. The money must be paid to the Plaintiff or its Attorney.

Bruce Campbell & Co

BRUCE CAMPBELL & CO.

Attorneys-at-Law

for the Plaintiff



THIS WRIT was issued by Bruce Campbell & Co. Attorneys-at-Law for the Plaintiff M. Group Resorts S.A. of Salduba Building, Calle 53 Este, Obario, Panama City, Republic of Panama whose address for service is 4th Floor, The Bank of Nova Scotia Building, George Town, Grand Cayman