$5,000 -

OCT 12 2016

255537

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD 167 OF 2016

IN THE MATTER OF The T Trust.

AND IN THE MATTER OF the Trusts Law (2011 Revision) and GCR Order 85, Rule 2

BETWEEN:

Estera Trust (Cayman) Limited
(as Trustee of the T Trust) **Applicant**

AND:

RS Trustees
(as Enforcer of the T Trust) **Respondent**

CLERK OF COURT OCT 12 2016 CAYMAN ISLANDS GOVERNMENT

GRAND COURT CAYMAN ISLANDS

REDACTED ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the ___ day of _____ 2016, at ____ o'clock.

By this Originating Summons, which is issued on the application of the Applicant, Estera Trust (Cayman) Limited, Clifton House, 75 Fort Street, PO Box 1350, Grand Cayman KY1-1108, Cayman Islands, as trustee of The T Trust (the "**Trust**"), against the Respondent (which is the Enforcer of the Trust), the Applicant seeks the following orders and directions pursuant to s.48 of the Trusts Law (2011 Revision) and/or GCR Order 85 and/or the inherent jurisdiction of the Court:

(1) The Clerk of the Court be directed not to place on the Register of Writs and Originating Process a copy of the unanonymised form of this Originating Summons;

(2) The Clerk of the Court be Directed to place on the Register of Writs and Originating Process a copy of the redacted form of this Originating Summons.

(3) The Applicant be authorised to commence proceedings seeking orders that:

This Originating Summons was issued by Ogier, Attorneys-at-Law for the Applicant, whose address for service is:
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (Ref: 425517.00001/RAR/WJO)

LITI-7669880-1

a. the Senior Share Charge as between Standard Chartered Trust (Cayman) Limited and Standard Chartered Bank ("**SCB**") dated 12 February 2010 (as amended) be declared void; alternatively

b. the Senior Share Charge as between Standard Chartered Trust (Cayman) Limited and Standard Chartered Bank ("**SCB**") dated 12 February 2010 (as amended) be set aside;

c. the Applicant treat the share register of CC Limited ("**CC**") as a complete, true and determinative record of CC's members;

d. the documents purporting to effect amendments to the articles of association of CC ("**the Amendments**") be declared void, alternatively set aside; and

e. any removal and/or appointment of directors effected pursuant to any provisions of the articles of association introduced by the Amendments be declared void, alternatively be set aside

(the "**Substantive Proceedings**").

(4) All information relating to this Originating Summons, including but not limited to the Originating Summons, affidavits, exhibits, submissions, and/or any other document filed at Court, is to be kept confidential and placed into sealed envelopes not to be opened without the leave of the Court (and any such application to be made on not less than 7 days' notice to the Applicant).

(5) The names of the Parties shall not be entered on the Register of Writs and Other Originating Processes.

(6) Any ruling delivered in these proceedings be anonymised pursuant to Practice Direction 3 of 1997.

(7) All further and necessary orders and directions as the Court shall think fit, including directions as to any necessary representation orders and service and/or notification of these proceedings.

This Originating Summons was issued by Ogier, Attorneys-at-Law for the Applicant, whose address for service is:
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (Ref: 425517.00001/RAR/WJO)

(8) The Parties be at liberty to apply for further or other relief.

(9) The Applicant's costs of these proceedings be paid out of the Trust fund on the indemnity basis.

(10) The Applicant's costs of the Substantive Proceedings be paid out of the Trust fund on the indemnity basis.

(11) The Applicant shall be entitled to discharge any adverse costs order in the Substantive Proceedings out of the Trust Fund as a proper expense thereof.

AND LET THE RESPONDENT within 28 days after service of this Summons on them counting the day of service, return the accompanying Acknowledgement of Service to the Courts office.

Dated the 12th day of October 2016

Ogier.

Ogier
Attorneys for the Applicant

TIME ESTIMATE: The estimated length of the hearing of this Summons is one day.

NOTES:-

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

(2) If a Respondent 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 Acknowledgement of Service are given with the accompanying form.

This Originating Summons was issued by Ogier, Attorneys-at-Law for the Applicant, whose address for service is:
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (Ref: 425517.00001/RAR/WJO)

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 Respondent or by the Respondent if acting in person. After completion it must be delivered or sent by post to the Law Courts, George Town, Grand Cayman.

Notes for Guidance

1. Each Respondent (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 Respondent personally is treated as having been served on the day it was delivered to him.

4. Where the Respondent 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 Respondent 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 Respondent 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 Respondent 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 Respondent is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.

9. A Respondent acting in person may obtain help in completing the form at the Courts Office.

This Originating Summons was issued by Ogier, Attorneys-at-Law for the Applicant, whose address for service is:
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (Ref: 425517.00001/RAR/WJO)

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD ____ OF 2016

IN THE MATTER OF The T Trust.

AND IN THE MATTER OF the Trusts Law (2011 Revision) and GCR Order 85, Rule 2

BETWEEN:

Estera Trust (Cayman) Limited
(as Trustee of the T Trust)

Applicant

AND:

RS Trustees
(as Enforcer the T Trust)

Respondent

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 Respondent by whom or on whose behalf the service of the Originating Summons is being acknowledged.

2. State whether the Respondent 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

[Respondent in person]

This Originating Summons was issued by Ogier, Attorneys-at-Law for the Applicant, whose address for service is:
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (Ref: 425517.00001/RAR/WJO)

Address for service:

Notes on address for service

Attorney: where the Respondent is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Respondent may not act by a foreign attorney.

Respondent in person: where the Respondent 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.

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

Ogier 89 Nexus Way Camana Bay Grand Cayman KY1-9009 Cayman Islands Ref: 425517.00001/UJP/PM

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

This Originating Summons was issued by Ogier, Attorneys-at-Law for the Applicant, whose address for service is:
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (Ref: 425517.00001/RAR/WJO)