

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO 228 OF 2018

BETWEEN:

Michele Schilling



PLAINTIFF

AND



Name Administration Inc



DEFENDANT

ORIGINATING SUMMONS

LET THE DEFENDANT, within 14 after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

By this Summons, which is issued on the application of Michele Schilling, care of Maples and Calder, PO Box 309, Ugland House, Grand Cayman, KY1-1104 Cayman Islands, the Plaintiff seeks orders and declarations for the inspection in the form of data and documents to be provided by the Company for the reasons set out below:

1. The Plaintiff is a citizen and resident of the Cayman Islands, and a director of the Defendant company.
2. The Defendant is a Cayman Islands exempted limited company engaged in the business of internet domain name sales and administration, whose registered office is at Bodden Corporate Services Ltd, PO Box 10335, Caribbean Plaza, 878 West Bay Road, 2nd Floor, Grand Cayman, KY1-1103, Cayman Islands.
3. Pursuant to the Company's Articles of Association and the laws of the Cayman Islands, the Plaintiff as a director of the Defendant is entitled to receive and inspect copies of the accounts, books, and records of the Company and its financial information ("**Accounts, Books and Records**").

4. On various dates and times between 6 October 2017 and 15 November 2018 the Plaintiff and her representatives have sought access to information about the Defendant and to certain Accounts, Books and Records of the Company, which the Defendant has refused or failed to supply.
5. The Accounts, Books and Records are required by the Plaintiff as director for the purposes of enabling her to exercise her rights and obligations as a director and in particular to consider transactions or potential transactions which are under contemplation by the Defendant's management, to review and if necessary investigate the affairs of the Defendant, and to enable her to be fully and fairly informed as to the business and financial position of the Company and the potential transactions in which it is involved.
6. The Plaintiff will receive and maintain all such records in accordance with her duties and obligations as a director and shareholder of the Defendant including the maintenance of suitable confidentiality provisions, and will not use the data and documents obtained for any collateral purpose.
7. The Plaintiff therefore seeks an order requiring the Defendant to provide to the Plaintiff copies of the following accounts, books and records within 3 working days of the making of the order:
 - 7.1 copies of the Company's financial data from 1 January 2016 to the present, in the form of a flashdrive or data-download from the Company's financial records and accounting system;
 - 7.2 a current inventory of all internet domain names and rights owned by the Company;
 - 7.3 the acquisition agreements for the portfolio of 30,000 names referred to in the director's report dated 5 November 2018;
 - 7.4 copies of any incentive plans, bonuses or offers made or provided to directors, officers or employees since 1 August 2018; and
 - 7.5 such other corporate documents as the Plaintiff reasonably requests, or the Court deems fit.

8. The Plaintiff seeks an order against the Defendant for the costs of and incidental to this originating summons.

If the Defendant does not acknowledge service, such judgment may be given or order made against or in the relation to him as the Court may think just and expedient.

DATED the 22nd day of November 2018



Maples and Calder
Attorneys-at-Law for the Plaintiff

NOTE - This Summons 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 that date unless renewed by order of the Court.

IMPORTANT

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

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 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.

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 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 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.

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**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 Writ 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 Originating Summons is acknowledged accordingly

(Signed)

[Attorney] for

[Defendant in person]

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 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 or 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.

Maples and Calder
PO Box 309
Ugland House
George T own
Cayman Islands
KY1-1104
(Ref: MWI/694689.01/57320155)

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

[Empty box for defendant's Attorney indorsement]