

IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO. 2 OF 1998

BETWEEN: (1) NATIONAL BANK OF CANADA FIRST PLAINTIFF

(2) NATIONSBANK, N.A. SECOND PLAINTIFF

(3) C.I.T. GROUP/BUSINESS CREDIT INC. THIRD PLAINTIFF

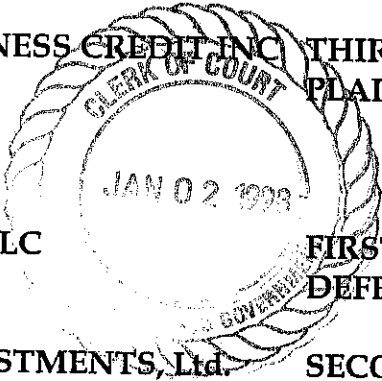
AND: (1) BARCLAYS BANK PLC FIRST DEFENDANT

(2) HIGHTOWER INVESTMENTS, Ltd. SECOND DEFENDANT

(3) PAGEAN TELEPHONE CORPORATION THIRD DEFENDANT

(4) TELEPHONE INTERNATIONAL, INC. FOURTH DEFENDANT

(5) MTC II FINANCIAL, INC. FIFTH DEFENDANT



WRIT OF SUMMONS

TO: BARCLAYS BANK PLC with its branch office situate at the offices of P.O. Box 68GT, Barclays House, Shedden Road, George Town, Grand Cayman.

AND TO: Hightower Investments, Ltd. with its registered office situate at the offices of International Management Services Ltd, P.O. Box 61, Harbour Center, George Town Grand Cayman.

AND TO: Pagean Telephone Corporation with its registered office situate at the offices of International Management Services Ltd, P.O. Box 61, Harbour Center, George Town Grand Cayman.

AND TO: Telephone International, Inc. with its registered office situate at the offices of International Management Services Ltd, P.O. Box 61, Harbour Center, George Town Grand Cayman.

AND TO: MTC II Financial, Inc. with its registered office situate at the offices of International Management Services Ltd, P.O. Box 61, Harbour Center, George Town Grand Cayman.

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs 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 Acknowledgment of Service stating therein whether you intend to contest the proceedings.

If you fail to satisfy the claim or to return the Acknowledgement without stating therein an intention to contest the proceedings the Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this ^{2nd} day of *January* 1998

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.

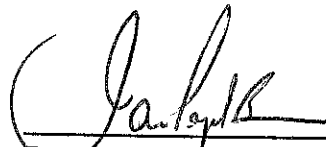
INDORSEMENT

AND THE PLAINTIFFS CLAIM:

- (i) An inquiry and an account of the Defendant's, by their officers, servants or agents, of dealings with the money and/or property of the Plaintiffs and an order for the payment of all sums found to be due to the Plaintiffs on the taking of such account.
- (ii) Declarations that all assets held by the Defendants representing or derived from money received from the Plaintiffs are held on constructive trust for the Plaintiffs and orders that the Defendants deliver all such assets to the Plaintiffs.
- (iii) Restitution to the Plaintiffs of all monies had and received by the Defendants from the Plaintiff.
- (iv) A declaration that in respect of all sums of the Plaintiffs' money paid to the Defendants:
 - (a) the Plaintiff is entitled to trace such money and/or the proceeds thereof and/or any assets upon which the said sums or any part thereof have been expended into the hands of the Defendants;
 - (b) such sums and/or any of the proceeds thereof and/or any assets upon which the said sums or any part thereof have been expended are the Plaintiffs' property and an order for payment of all sums or assets found to be due to the Plaintiffs.
- (v) Such tracing and/or proprietary remedies and/or other equitable relief against the Defendants as shall to the Court seem just.

(vi) Costs.

Dated the 2nd day of January 1998.



Paget-Brown

Attorney-at-Law for the Plaintiffs