

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 298 OF 1998

In the Matter of **MARSHALL INVESTMENTS LIMITED**

AND in the Matter of **THE COMPANIES LAW (1995 REVISION)**

BETWEEN: MARSHALL INVESTMENTS LIMITED PLAINTIFF

AND:

THE REGISTRAR OF COMPANIES DEFENDANT



ORIGINATING SUMMONS

TO: The Registrar of Companies, Tower Building, North Church Street, George Town, Grand Cayman

LET THE DEFENDANT, within 14 days 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 495GT, George Town, Grand Cayman.

By this Summons, which is issued on the application of Marshall Investments Limited. of P.O. Box 309, George Town, Grand Cayman, Cayman Islands, British West Indies, the Plaintiff is applying to the Grand Court of the Cayman Islands for restoration to the Register pursuant to Section 177 of the Companies Law (1995 Revision)

If the Defendant does not acknowledge service, such judgment may be given or order made with regard to this application as the Court may think just and expedient.

Dated this day of May 1998

MAPLES AND CALDER

NOTE - This Summons may not be served later than 4 calendar months beginning with that date unless renewed by order of the Court.

IMPORTANT

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

This Originating Summons was issued by Maples and Calder, Attorneys for Marshall Investments Limited whose address for service is Ugland House, P.O. Box 309, George Town, Grand Cayman.

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THE REGISTRAR OF COMPANIES DEFENDANT

**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 Originating Summons is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes

no

Service of the Originating Summons is acknowledged accordingly

(Signed).....

The Registrar of Companies

Address for Service:

Tower Building
North Church Street
George Town
Grand Cayman
Cayman Islands

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
P.O. Box 309
George Town
Grand Cayman
Ref : NGM/133686-01

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

Registrar of Companies
Tower Building
North Church Street
George Town
Grand Cayman

**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 acknowledgment 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.

Amended 16th October, 1995

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.