

IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO: 408 OF 1998

In the Matter of **DMG CORP.**

AND in the Matter of **SECTION 177 OF THE COMPANIES LAW (1995 REVISION)**

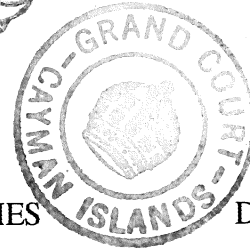
BETWEEN:

DMG CORP.

PLAINTIFF

AND:

THE REGISTRAR OF COMPANIES



DEFENDANT

ORIGINATING SUMMONS

LET THE DEFENDANT of Tower Building, North Church Street, George Town, Grand Cayman attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the 8th day of July 1998, at 2:30 p.m. on the hearing of an application by the Plaintiff of PO Box 31106 SMB, George Town, Grand Cayman, Cayman Islands, British West Indies for the following Orders and Declarations:

1. That under section 177 of the Companies Law (1995 Revision) the name of the Plaintiff be restored to the register of companies kept by the Defendant under section 25 of the said Law
2. That the Plaintiff be deemed to have continued in existence as if its name had not been struck off the said register and in particular and without prejudice to the generality of the deeming provision of the said section 177 that the Plaintiff be deemed not to have been dissolved and to have continued in existence for all the purposes of the Exempted Limited Partnership Law (11 of 1991) (1997 Revision) and for all the purposes of the NCH Associates, L.P. Second Amended and Restated Limited Partnership Agreement of November 22, 1995 as amended.
3. For such further or other relief as the Court may think just and expedient

AND LET THE DEFENDANT within 4 days after the service of this summons on him counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, PO Box 495GT, George Town, Grand Cayman.

Dated this 2nd day of July, 1998.



MAPLES AND CALDER
Attorneys for the Plaintiff

NOTES:-

- (1) This Summons may not be served later than 4 calendar months beginning with the above date unless renewed by order of the Court.
- (2) If a defendant 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 Acknowledgment of Service are given with the accompanying form.

This Originating Summons was issued by Maples and Calder, Attorneys for DMG Corp. whose address for service is Ugland House, PO Box 309, George Town, Grand Cayman, Cayman Islands.

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In the Matter of **DMG CORP.**

AND in the Matter of **SECTION 177 OF THE COMPANIES LAW (1995 REVISION)**

BETWEEN: DMG CORP. PLAINTIFF

AND:
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

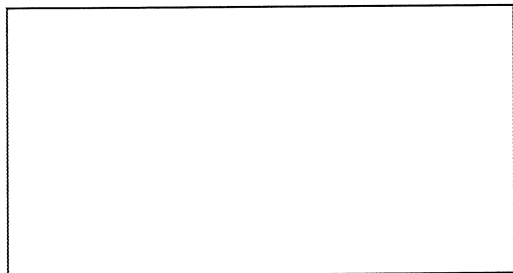
Address for Service:

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
PO Box 309
George Town
Grand Cayman
Ref : PEL/140638-01

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



DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE OF ORIGINATING SUMMONS

The accompanying form of Acknowledgement 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, PO Box 495 GT, 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.