

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 519 OF 1998

BETWEEN:

(1) VADIM KOTOV  
(2) DIMITRY OUKRUZHNOV  
(3) ARKADY CHOUDNOV

Plaintiffs

AND:

(1) OCS LIMITED  
(2) PETROLEUM SERVICES LTD.  
(3) ENERGY TRADING LIMITED  
(4) ALEXANDRE KOTOV  
(5) IRINA KOTOVA  
(6) DON C. FULLENWEIDER

Defendants



WRIT OF SUMMONS



TO:

1. OCS Limited  
Cayside, 2<sup>nd</sup> Floor Harbour Drive  
George Town, Grand Cayman
2. Petroleum Services Ltd  
Cayside, 2<sup>nd</sup> Floor Harbour Drive  
George Town, Grand Cayman
3. Energy Trading Limited  
c/o BDO Binder  
Ragnall House  
Douglas  
Isle of Man
4. Alexandre Kotov  
c/o 2500 Tanglewild  
Suite 318  
Houston, Texas 7063  
USA
5. Irina Kotova  
c/o 4265 San Philippe  
910 Houston, Texas  
USA

6. **Don C Fullenweider**  
**4265 San Philippe**  
**Suite 1400, Houston**  
**Texas 770247 USA**

**THIS WRIT OF SUMMONS** has been issued against you by the above-named Plaintiffs in respect of the claims 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 these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this        day of                    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 this Court**

## ENDORSEMENT

The First Plaintiff's claim is for the following:

1. A Declaration that he is the sole legal and/or beneficial owner of the shares in the First Defendant.
2. A Declaration that he is the sole legal and/or beneficial owner of share certificate numbers 2, 3 and 4 issued by the Second Defendant.
3. A Declaration that he is sole legal and/or beneficial owner of share certificate numbers 2 and 3 issued by the Third Defendant.
4. An Declaration that share certificates numbers 2, 3 and 4 issued by the Second Defendant are held by the Fifth and/or Sixth Defendant on constructive trust for the First Plaintiff.
5. A Declaration that share certificates numbers 2 and 3 in the Third Defendant are held on constructive trust by the Fifth and/or Sixth Defendant for the First Plaintiff.
6. An Order that the Second Defendant do cancel share certificate numbers 2, 3 and 4 issued by the Second Defendant and issue new certificates in the name of the First Plaintiff.
7. An Order that the Third Defendant do cancel share certificate numbers 2 and 3 issued by the Third Defendant and issue new certificates in the name of the Plaintiff.
8. Against the Fifth and Sixth Defendants only, damages for conversion of the said share

certificates together with interest upon the said damages pursuant to Section 34 of the Judicatory Law (1995 Revision).

9. All such further accounts, Orders, Declarations, reliefs and directions as to the Court shall seem just and appropriate.
10. As against the Fifth and Sixth Defendants only, costs.

The Second Plaintiff's claim is for the following:

1. A Declaration that he is sole legal and/or beneficial owner of share certificate number 1 issued by the Third Defendant.
2. A Declaration that the Fifth and/or Sixth Defendant holds share certificate number 1 issued by the Third Defendant on constructive trust for the Second Plaintiff.
3. An Order that the Third Plaintiff do cancel share certificate no.1 and issue a new certificate in the name of the Second Plaintiff.
4. Against the Fifth and Sixth Defendants only, damages for conversion of the said share certificate together with interest upon the said damages pursuant to Section 34 of the Judicature Law (1995 Revision).
5. All such further accounts, Orders, Declarations, relief and directions as to the Court shall

seem just and appropriate.

6. As against the Fifth and Sixth Defendants only, costs.

The Third Plaintiff's claim is for the following:

1. A Declaration that he is the sole legal and/or beneficial owner of share certificate no. 4 issued by the Third Defendant.
2. A Declaration that the Fifth and/or Sixth Defendant holds share certificate no. 4 issued by the Third Defendant upon constructive trust for the Third Plaintiff.
3. Against the Fifth and Sixth Defendants only, damages for conversion of the said share certificate together with interest upon the said damages pursuant to Section 34 of the Judicature Law (1995 Revision).
4. All such further accounts, Orders, Declarations, relief and directions as to the Court shall seem just and appropriate.
5. As against the Fifth and Sixth Defendants only, costs.

DATED the <sup>9<sup>th</sup></sup> day of ~~September~~<sup>SEP</sup> 1998

Bruce Campbell & Co

**BRUCE CAMPBELL & CO.**

Attorneys-at-Law for the

Plaintiffs herein

THIS WRIT OF SUMMONS is filed by Bruce Campbell & Co, Attorneys-at-Law for the Plaintiffs herein whose address for service is 4<sup>th</sup> Floor, Bank of Nova Scotia Building, George Town, Grand Cayman.  
(J. Ross McDonough)