

IN THE GRAND COURT OF THE CAYMAN ISLANDS

Cause No. 644 of 1998

IN THE MATTER of The Estate of Carlos
Oswaldo Hernandez, Deceased

IN THE MATTER of an Adjudication under
Section 35 of the Succession Law, Law 18 of
1975 (1995 Revision)

Between:

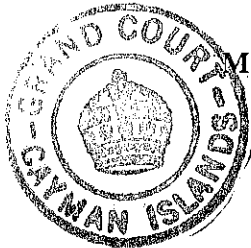
VIRGINIA BARNES
On behalf of Carlos Oswaldo Hernandez, Jr.

- and -

MERI YOULANDA HERNANDEZ

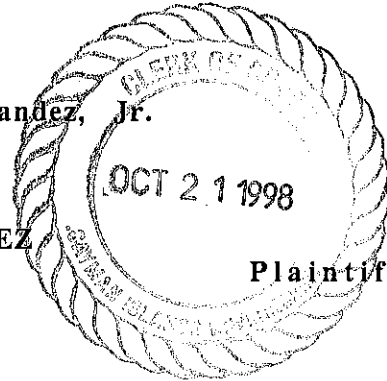
Plaintiffs

And:



MAGDA HERNANDEZ

Defendant



EX-PARTE ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before a Judge in Chambers, at the Law
Courts, George Town, Grand Cayman on the 9th day of October, 1998, at
9:15 am/pm, on a hearing of an application by the Plaintiff that:-

1. The Plaintiffs be declared the lawful children of the deceased, Carlos Oswaldo Hernandez, and entitled, therefore, to participate in their fathers estate.
2. Costs

Dated the 17th day of August, 1998.

Collins Broadhurst Furniss

Collins Broadhurst & Furniss
Attorneys-at-Law for the Plaintiff

TIME ESTIMATE: 10 mins/hrs.

This Originating Summons was issued by **Collins Broadhurst & Furniss**,
Attorneys-at-Law for the Plaintiff, whose address for service is 40 Linwood St., P.O.
Box 2503, G.T. Grand Cayman, Cayman Islands, B.W.I.

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, P.O. Box 495, G.T. Grand Cayman.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement of Service and return it to the Courts Office.
2. 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.
3. 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*)".
4. 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.
5. 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.
6. 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.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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Cause No. *1044* of 19 *98* .

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Oswaldo Hernandez, Deceased

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Section 35 of the Succession Law, Law 18 of
1975 (1995 Revision)

Between:

VIRGINIA BARNES
On behalf of Carlos Oswaldo Hernandez, Jr.

- and -

MERI YOULANDA HERNANDEZ

Plaintiffs

And:

MAGDA HERNANDEZ

Defendant

**ACKNOWLEDGEMENT 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 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 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 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.

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

Collins Broadhurst & Furniss
Attorneys-at-Law
40 Linwood St.
P.O. Box 2503, G.T.
Grand Cayman
Cayman Islands, B.W.I.

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