



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CIVIL DIVISION

CAUSE NO. OF 2023 ()

BETWEEN:

OGIER (CAYMAN) LLP

Plaintiff

AND

REA HOLDINGS CORP

Defendant

WRIT OF SUMMONS

TO: Rea Holdings Corp, 9200 Weston Road, PO Box 92030, Vaughan Ontario, Canada, LYH 3J3

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

Within 28 days after the service of this Writ on you (or such other period of time as the court may order pursuant to Order 11, rule 1(3) of the Grand Court Rules), counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495, George

This Writ was issued by Ogier (Cayman) LLP, whose address for service is:
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (427533.00001/MG/GL)

Town, Grand Cayman KY1-1106, 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 of Service within the time stated, or if you return the Acknowledgment of Service 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.

Dated this day of December 2023.

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.

STATEMENT OF CLAIM

Parties

1. The Plaintiff ("**Ogier**") is a limited liability partnership formed under the laws of the Cayman Islands and provides legal advice related to issues of Cayman Islands law.
2. The Defendant ("**Rea**") is a company incorporated in Canada and has its office address at 9200 Weston Road, PO Box 92030, Vaughan Ontario, Canada, LYH 3J3.

The claim

3. Pursuant to an engagement letter signed and dated 24 September 2021 ("**Engagement Letter**"), Rea engaged the Plaintiff to provide legal advice concerning the identification and potential enforcement of Rea's statutory and contractual rights as a limited partner of GCM SPVMI, LP, a Cayman Islands Exempted Limited Partnership

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4. The Engagement Letter incorporated Ogier's Terms and Conditions of Business dated May 2018 ("**T&Cs**") which together, comprised the client agreement (the "**Client Agreement**").
5. The Client Agreement provided that:
 - a. The Client Agreement was governed by the laws of the Cayman Islands.
 - b. Ogier would charge professional fees on a time spent basis at agreed hourly rates;
 - c. Pursuant to Clause 6.1 of the T&Cs, that payment was due immediately following rendering of an invoice:

"6.1 Invoices are usually rendered monthly in arrears and generally include all fees, disbursements and charges incurred up to the date of the invoice. Interim invoices may be issued. Unless otherwise agreed with us, payment is due immediately."
 - d. Pursuant to Clause 6.2 of the T&Cs, that if payment were not made within 30 days, Ogier is entitled to charge interest at a monthly rate of 2%:

"6.2 If payment is not made within 30 days, we may charge interest at a monthly rate of 2%."
6. Between 15 October 2021 and 20 December 2021, the Plaintiff duly provided Cayman Islands legal advice to Rea in accordance with Rea's instructions and the Client Agreement.
7. On 13 January 2022 Ogier issued invoice #5004274 in the sum of USD 41,033.20 (the "**Invoice**"). Ogier sent the Invoice to Rea by an email timed at 08:54am on 14 January 2022.
8. Ogier sent further demands for payment to Rea by an email timed at 08:42am on 3 March 2022, 03:40pm on 7 April 2022, and 03:57pm 15 August 2022.
9. Rea did not respond to the correspondence referred to in paragraphs 7 and 8 above.

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10. In breach of Clause 6.1 of the T&Cs and the Client Agreement, Rea failed to pay the Invoice immediately upon receipt, within 30 days thereafter, or at all.

AND THE PLAINTIFF claims:

- (1) An order that Rea do pay to Ogier the principal sum of USD 41,033.20;
- (2) An order that Rea do pay to Ogier contractual interest pursuant to Clause 6.2 of the T&Cs on the sum of USD 41,033.20 at the rate of 2% per month from 14 January 2022 until the date of judgment;
- (3) An order that Rea do pay Ogier statutory interest at the rate of 8% per annum on the sums claimed above from the date of judgment until the date of payment pursuant to section 34 of the Judicature Act (2021 Revision) and the Judgment Debts (Rates of Interest) Rules 2021 or the Court's equitable jurisdiction;
- (4) Costs; and
- (5) Further or other relief as the Court thinks fit.



Ogier (Cayman) LLP

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**DIRECTIONS FOR ACKNOWLEDGMENT
OF SERVICE OF AMENDED WRIT OF SUMMONS**

- 1 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.

- 2 A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

- 3 A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See over for notes for guidance.

Please complete overleaf.

This Writ of Summons was issued by Ogier (Cayman) LLP, Attorneys-at-Law, whose address for service is:
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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 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 Amended Writ of 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 of 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 his 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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IN THE GRAND COURT OF THE CAYMAN ISLANDS

CIVIL DIVISION

CAUSE NO. OF 2023 ([])

BETWEEN:

OGIER (CAYMAN) LLP

Plaintiff

AND

REA HOLDINGS CORP

Defendant

ACKNOWLEDGEMENT OF SERVICE OF
WRIT OF 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.

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

-
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

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box).

yes

no

Service of the Writ is acknowledged accordingly.

(Signed).....

[Insert name]

[Attorney for the] Defendant

Notes on address for service

Attorney: where the 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 the 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 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.

Ogier LLP
Attorneys-at-law
89 Nexus Way
Camana Bay
Cayman Islands
427533.00001/MG/GL

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

[Empty box for defendant's attorney indorsement]