

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: *451* OF 1999

IN THE MATTER OF THE ESTATE OF ROBERT CULVER DA COSTA
AND IN THE MATTER OF THE TRUSTS LAW (1998 REVISION)

BETWEEN

JEANIE DA COSTA

PLAINTIFF

AND

ROBERT CULVER DA COSTA JNR
AND ROLINA ERIN DA COSTA

DEFENDANTS



ORIGINATING SUMMONS

TO: Robert Culver Da Costa Jnr and Rolna Erin Da Costa of 8310 Wild Rose Street, Apartment #7C, Houston, Texas, 77083

LET THE DEFENDANTS Robert Culver Da Costa Jnr and Rolna Erin Da Costa within 14 days after service of this Summons on them, counting the day of service, return the accompanying Acknowledgement of Service to the Courts office, P. O. Box 495GT, George Town, Grand Cayman.

By this Summons, which is issued on the application of the Plaintiff, Jeanie Da Costa of P. O. Box 10531 APO, Grand Cayman, BWI, the Plaintiff seeks the determination of the Court on the following issue, namely,

1. The Plaintiff is the personal representative of Robert Culver Da Costa deceased ("the Deceased") who died on 20th October 1984. On 29th August 1985 the County Court of Jefferson County, Texas granted Letters Testamentary to the Plaintiff and those Letters Testamentary were resealed by the Grand Court of the Cayman Islands on 28th January 1986.
2. Prior to his death the Deceased executed a Will and that Will, dated 17th October 1984, appointed the Plaintiff as Executrix and named the Defendants as beneficiaries. The Defendants are the children of the Deceased.
3. At the time of his death the Deceased owned an interest in land in Grand Cayman, namely an interest in the property registered at the Lands and Survey Department as Savannah, Block 28C, Parcels 5 and 46 ("the Property"). The Defendants require the sale of the Deceased's interest in the Property and the division between them of the proceeds of sale.

4. The Plaintiff and her husband, Hartman Da Costa, wish to buy the Property and the Defendants have no objection to such a sale. However, since the Plaintiff as the Deceased's Executor will be selling the Property and in a personal capacity will also be the purchaser of an estate asset, the Plaintiff requires the direction of the Court on this question to ensure that she can discharge and be seen to discharge her duty as personal representative.

If the Defendants do not acknowledge service, such judgement may be given or order made against or in relation to them as the court may think just and expedient.

Dated the 23rd day of July 1999

Ritch & Conolly
Ritch & Conolly

NOTE – This summons 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 that date unless renewed by order of the Court.

IMPORTANT

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

This Originating Summons was issued by Ritch & Conolly, Attorneys-at-Law for the Plaintiff and whose address for service is P. O. Box 1994, 3rd Floor, Royal Bank Building, George Town, Grand Cayman, B. W. I.