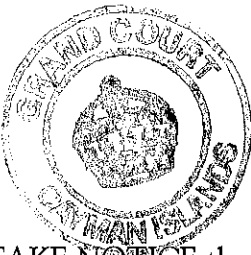


IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 568 OF 1999

IN THE MATTER of the Registered Land Law (1995 Revision)

AND IN THE MATTER of an appeal against a decision of the Registrar of Lands



NOTICE OF ORIGINATING MOTION



TAKE NOTICE that the Court at the Law Courts, George Town, Grand Cayman will be moved on 19 October 1999 at 9:30 o'clock in the fore/afternoon or as soon thereafter as Counsel can be heard, by Counsel on behalf of Kozaily Development (Cayman) Limited for the following relief, namely:

1. A declaration that Angi Wall and Ronald Arscott have no interest as contracting purchasers in Block 15B Parcel 331 H24.
2. An Order that the Caution entered in the Register of the said parcel by the Registrar of Lands on 29 July 1999 be removed.
3. An Order that the costs of an incidental to this appeal may be paid by the said Angi Wall and Ronald Arscott.

AND FURTHER TAKE NOTICE that the grounds of this appeal are as follows:

1. The Claimants do not have any interest whatsoever in the above parcel and are therefore not entitled to lodge a Caution with the Registrar pursuant to Section 127(1)(a) of the Registered Land Law (1995 Revision).
2. The purported written agreement for the sale of the above parcel, a copy of which was lodged with the Registrar, is not signed by us as Vendor, so that the Claimants are not entitled to bring any action upon the said purported agreement, by virtue of Section 37(2) of the Registered Land Law (1995 Revision).

3. The said written agreement was signed by us for the sale of the property at Block 15B Parcel 331H9 which sale was later abandoned by the consent of the parties. No written agreement was entered into by the parties for the sale of the above parcel. Subsequently, the Claimants unilaterally altered the parcel number on the said agreement and lodged the same with the Registrar in support of its application for a Caution.
4. In the premises, the said Caution was wrongfully entered in the Register of the above parcel and ought to be removed by order of the Court pursuant to Section 129(1) of the Registered Land Law (1995 Revision).

Dated the 17<sup>th</sup> day of September 1999

*Hunter & Hunter*

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HUNTER & HUNTER

To: The Clerk of the Court  
And to: The Registrar of Lands  
And to: Truman Bodden & Co.  
Attorneys for Angi Wall and Ronald Arscott

This Notice of Originating Motion was issued by Hunter & Hunter, Attorneys-at Law for the Appellant whose address for service is that of its said Attorneys, namely The West Wind Building, 2nd Floor, P.O. Box 190 GT, Grand Cayman, Cayman Islands (Ref. JW/07553.001)