

IN THE MATTER OF THE CONFIDENTIAL RELATIONSHIPS (PRESERVATION) LAW
(1995 REVISION)

AND IN THE MATTER OF : CAUSE NO 553 OF 1999

B E T W E E N: (1) MAURICE SWENDEN
(2) PATRICK SWENDEN PLAINTIFFS

AND: FIRST FUTURE FUND LTD. DEFENDANT



EX PARTE ORIGINATING SUMMONS


LET ALL PARTIES CONCERNED attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the 19 day of April, 2000 at 9-30 on the hearing of an application by Messrs. Walkers, on behalf of the Plaintiffs in Cause no. 553 of 1999, of PO Box 265 GT, Walkers House, Mary Street, George Town, Grand Cayman BWI who intends for direction pursuant to Section 4 of the above-mentioned Law.

The Applicants intends to give in evidence confidential information belonging to First Future Fund Limited, the Defendant in Cause no. 553 of 1999, by means of oral testimony and/or discovery of documents and/or on affidavit and/or in written answers to interrogatories, as the case may be and seeks directions that:

1. The Plaintiffs and their attorneys be at liberty to use the information for the purpose of preparing their case relating to the assessment of damages in Cause no. 553 of 1999 ("the Assessment of Damages") by:
 - (i) Messrs. Walkers considering it and advising the Plaintiffs concerning its relevance to the Assessment of Damages
 - (ii) Messrs. Walkers using it for the purposes of instructing an expert witness or expert witnesses to assist the Plaintiffs in the preparation for and presentation of their case at the Assessment of Damages by:
 - (a) Copying it or summarising it to the expert witness(es)
 - (b) Permitting the expert witness(es) to refer to it in their expert(s)' report(s) for use in connection with the Assessment of Damages

- (c) Permitting the expert witness(es) to refer to it in their oral evidence at the trial of the Assessment of Damages
- (iii) Messrs. Walkers using it for the purpose of investigating matters relevant to the Assessment of Damages if the information leads to a forensic chain of enquiry which Messrs. Walkers consider it is in the interests of the Plaintiffs to pursue.
2. That Messrs. Walkers and the Plaintiffs be released from their implied undertaking to the Court with regard to the use of documents obtained during the course of Cause 553 of 1999, including the documents which form the confidential information, so that they may use the documents and confidential information for the purpose of assisting in the prosecution of criminal proceedings against Mr. Oger Driane in Belgium.

Dated this 30 day of March 2000.


Walkers, attorneys-at-law for
the Applicants

TIME ESTIMATE: The estimated length of the hearing of this summons is 30 minutes.

To: The Attorney-General

And to: Messrs. Moore Stephens

And to: First Future Fund Limited

This Originating Summons was issued by Walkers whose address for service is PO Box 265 GT, Walkers House, Mary Street, George Town, Grand Cayman BWI (ref: DMM/KH/eem/S2950-23226).