

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 62 OF 1996

BETWEEN:

OMNI SECURITIES LTD. (IN LIQUIDATION)

PLAINTIFF

AND:

DANIEL J. SCHWAB

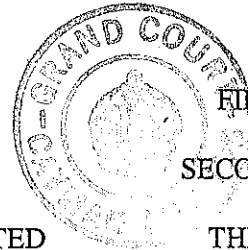
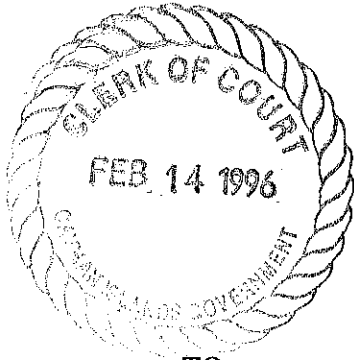
FIRST DEFENDANT

SYDNEY J. COLEMAN

SECOND DEFENDANT

PAGET-BROWN & COMPANY LIMITED

THIRD DEFENDANT



WRIT OF SUMMONS

TO: DANIEL J. SCHWAB, Winterhurerstrasse 503, CH-8051 Zurich, Switzerland

AND TO: SYDNEY J. COLEMAN, P.O. Box 1111GT, Grand Cayman

AND TO: PAGET-BROWN & COMPANY LIMITED, P.O. Box 1111GT, Grand Cayman

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 14 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495G, George Town, Grand Cayman, 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 within the time stated, or if you return the Acknowledgment 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.

Issued this 13th day of February, 1996.

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.

INDORSEMENT

AND THE PLAINTIFF CLAIMS:

1. Against the First and Second Defendants:-

- (a) Damages for breach of the First and Second Defendants' duty of care and/or fiduciary duty to the Plaintiff in respect of transactions between the Company and Werner Rey as particularised in the Schedule annexed hereto.
- (b) Damages for breach of the First and Second Defendants' duty of care and/or fiduciary duty in respect of an allowance on the Plaintiff's accounts for CHF97,320,776 made against amounts outstanding from Omninvest (Cayman) Limited.
- (c) Damages for breach of the First and Second Defendants' duty of care and/or fiduciary duty in respect of a further advance of CHF2,500,000 to Omni Beteiligungs GmbH and, on the same day, the creation of an allowance on the Plaintiff's accounts for CHF6,151,443.66.
- (d) Damages for breach of the First and Second Defendants' duty of care and/or fiduciary duty in respect of an advance of CHF475,546.45 to Space Financial Holdings Limited on 31st December 1990 and, on the same day, for the creation of an allowance on the Plaintiff's accounts for the same amount.

2. Against the Third Defendant:-

- (a) Damages for breach of the Second Defendant's duty of care and/or fiduciary duty committed in the course of the Second Defendant's employment with the Third Defendant or, in the alternative, that the Third Defendant was negligent in so appointing the Second Defendant to fulfill its contractual obligations to the Plaintiff.
- (b) Damages for breach of its duty of care and/or fiduciary duty as Company Secretary to the Plaintiff.

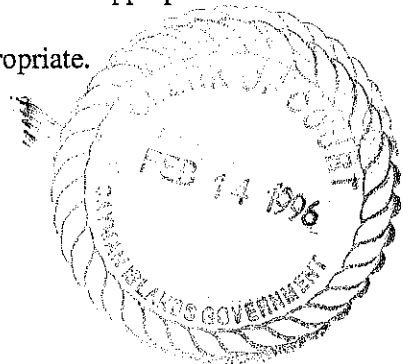
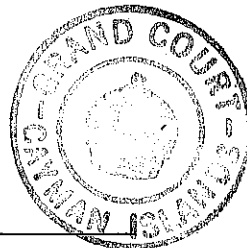
3. Interest for such period and at such rate as this Honourable Court deems appropriate.

4. Such further or other relief as this Honourable Court deems appropriate.

5. Costs.

DATED this 13th day of February, 1996.

W.S. Walker & Co
W.S. WALKER & COMPANY
Attorneys-at-Law for the Plaintiff



This Writ of Summons was issued by W.S. Walker & Company, P. O. Box 265, Caledonian House, George Town, Grand Cayman, Attorneys-at-Law for the Plaintiff, acting by its Joint Liquidators, Christopher D. Johnson and John Dinan of Butterfield House, George Town, Grand Cayman and whose address for service is that of its said Attorneys-at-Law.

Account:

1124 W.K. Rey
from 01/01/90 to 31/12/90

47 391 112

Financial Year: 1990

Currency: SFR

Date: 22/10/91

Date	Description	Contra	Acc. T	Voucher	Debit CHF	Credit CHF	Balance CHF	Curr. Exc.	Data C
	Opening Balance						11,645,863.54		
16/02/90	WKR sell 2358 OMNI at 1250	1089		0098	2,947,500.00		14,593,363.54		
22/03/90	paymt to BHF Bank Frankfurt	1020		0178	578,125.00		15,171,488.54		
31/03/90	Sale 8744 OMNI at 1280 to WKR	1089		237	11,192,320.00		26,363,808.54		
31/03/90	WKR 9.5% CHF-c/a 1st qu. 90	6002		255	311,408.25		26,675,216.79		
30/04/90	BSI paymt to UOB GE	1020		310	191,250.00		26,866,466.79		
11/05/90	BSI paymt by WKR	1020		354		2,000,000.00	24,866,466.79		
30/05/90	WKR sale 150 OMNI at 1220	1089		405	183,000.00		25,049,466.79		
15/06/90	Paymt to BSI a/c WKR	1020		439	3,000,000.00		28,049,466.79		
19/06/90	BSI paymt to WKR	1020		450	1,500,000.00		29,549,466.79		
30/06/90	WKR 9.75 % int. CHF 2nd qu. 90	6002		542	651,701.90		30,201,168.69		
30/06/90	WKR sale 1082 OMNI at 1245.--	1089		551	1,347,090.00		31,548,258.69		
06/90	OHAG assignment claim WKR	2163		671	90,439,072.20		121,987,330.89		
18/07/90	BSI paymt to WKR	1020		628	2,000,000.00		123,987,330.89		
27/07/90	Quart paymt to LAC for WKR GBP 380075	1569		1270	948,287.15		124,935,618.04		
31/07/90	BSI paymt to WKR	1020		663	2,500,000.00		127,435,618.04		
07/08/90	BSI paymt to a/c WKR	1020		699	5,000,000.00		132,435,618.04		
10/08/90	BSI paymt to a/c WKR	1020		710	2,700,000.00		135,135,618.04		
10/08/90	BSI paymt to a/c WKR	1020		712	23,000,000.00		158,135,618.04		
13/08/90	BSI paymt to UOB GE fav. WKR	1020		720	77,777.80		158,213,395.84		
28/08/90	BSI paymt to WKR	1020		756	1,800,000.00		160,013,395.84		
31/08/90	BSI paymt to WKR	1020		766	3,500,000.00		163,513,395.84		
05/09/90	SELL 5813 OMNI at 1250 to WKR	1089		796	7,266,250.00		170,779,645.84		
13/09/90	BSI paymt by WKR	1020		821		960,000.00	169,819,645.84		
13/09/90	BSI paymt by WKR	1020		822		10,200,000.00	159,619,645.84		
24/09/90	BSI paymt to WKR	1020		850	1,000,000.00		160,619,645.84		
26/09/90	Quart paymt to LAC for WKR GBP 260000	1569		1271	633,100.00		161,252,745.84		
28/09/90	BSI paymt to WKR	1020		868	11,300,000.00		172,552,745.84		
30/09/90	WKR 9.625% CHF-c/a 3rd qu. 90	6002		917	3,553,952.10		176,106,697.94		
30/09/90	SELL 568 OMNI at 1160 to WKR	1089		941	658,880.00		176,765,577.94		
10/90	BSI paymt to WKR	1020		987	1,000,000.00		177,765,577.94		
17/10/90	BSI paymt to WKR	1020		988	600,000.00		178,365,577.94		
18/10/90	Dividend for 2000 Adia b/s	6600		1121	35,750.00		178,401,327.94		
18/10/90	Dividend for 15000 ADIA PC	6600		1122	53,625.00		178,454,952.94		
30/10/90	Quart paymt to LAC for WKR GBP 917000	1569		1272	2,306,255.00		180,761,207.94		
05/11/90	BSI paymt to WKR	1020		1031	1,000,000.00		181,761,207.94		
13/11/90	BSI paymt to WKR	1020		1054	4,000,000.00		185,761,207.94		
15/11/90	WKR buys 2000 ADIA b/s at 945	1230		1124	1,890,000.00		187,651,207.94		
15/11/90	Rev. sale 2000 ADIA at 945	1230		1189		1,890,000.00	185,761,207.94		
05/12/90	BSI paymt to WKR	1020		1134	400,000.00		186,161,207.94		
06/12/90	BSI paymt taxes Lanz Kaltpress	1020	S	1140	290.00		186,161,497.94		
10/12/90	BSI paymt to WKR	1020		1146	300,000.00		186,461,497.94		
24/12/90	BSI paymt to WKR	1020		1217	1,000,000.00		187,461,497.94		
27/12/90	SEC paymt to The Roy. Bk Scotld GBP 124346.31	1045		1219	310,554.90		187,772,052.84		
27/12/90	SEC paymt to BFC GE DEH65416.7	1045		1220	56,323.80		187,828,376.64		
31/12/90	WKR commission per contract	6801		1176	15,000.00		187,843,376.64		
31/12/90	SEC paymt to BSI fav. Space!	1067	S	1250	4,517,741.50		192,361,118.14	DEH 85.4500 M	5
31/12/90	SEC paymt to BSI ref. EFL BV	1070	S	1251	5,322,940.00		198,184,058.14	USD 1.2840 M	4

Amount carried forward

201,538,194.60 15,050,000.00 198,184,058.14

Account:

1124 W.K. Rey
from 01/01/90 to 31/12/90

47 391 -113

Financial Year: 1990

Currency: SFR

Date: 22/10/91

Date	Description	Contra	Acc. T	Voucher	Debit CHF	Credit CHF	Balance CHF	Curr.	Exc.	Data	C
	Amount carried forward				201,588,194.60	15,050,000.00	198,184,058.14				
31/12/90	Trf. claim from Space	1120		1305	7,381.50		198,191,439.64	USD	1.2950	B	
31/12/90	WKR trf. DEM-c/a to CHF c/a	1524		1319	15,642,587.30		213,834,026.94	DEM	35.0999	B	
31/12/90	WKR 8.875% c/a CHF 4th qu. 90	6002		1350	4,142,950.95		217,976,977.89				
31/12/90	OHAG assigns claim against WKR	2163		1359	40,592,561.57		258,569,539.46				
31/12/90	OBET assigns claim against WKR	2563		1360	42,684,162.54		301,253,702.00				
31/12/90	Proceeds sale 3973 shs Sulzer to DSB	2163		1372	19,073,599.10		320,327,301.10				
31/12/90	OSEC assigns claim WKR to Berh	1521		1388		182,320,776.00	138,006,525.10				
					<u>323,731,437.56</u>	<u>197,370,776.00</u>					

	CHF
Balance from 01/01/90 to 31/12/90	126,360,661.56
Opening Balance	11,645,863.54
Balance financial year	138,006,525.10

194396

17 Omni Securities Ltd.

Acct. 1124 W.K. Rey 01/01/91 - 31/12/91

Acct. Period : 1991

Date : 19/12/95 Page : 1

Doc	Date	Text	Offsetting A	Doc.	Debit	Credit	Balance	Total	Isocode	Rate B	FX-Amount
		Bal. f. prev. period					138,006,525.10				0.00
01/01/91		WKR buys 2515 OHNI at 1160	1089	2	2,917,400.00		140,923,925.10				
01/01/91		Re-assign.claim Skal to WKR	1527	477	6,078,678.37		147,002,603.47	USD.	1.5500	8	3,921,726.11
01/01/91		Re-alloc. debit charge	1523	477		6,368,786.00	140,633,817.47				
01/01/91		Re-alloc. debit charge	1520	477		4,524,044.00	136,109,773.47				
03/01/91		WKR buys 3200 ADIA B/S at 865	1230	4	2,767,000.00		138,876,773.47				
07/01/91		Paymt to Bellworth	1045	10	15,000.00		138,891,773.47				
07/01/91		Paymt to WKR a/c BSI	1020	11	670,000.00		139,561,773.47				
09/01/91		Paymt to Warburg Brinckmann	1045	22	151,125.00		139,712,898.47				
10/01/91		Paymt to WKR BSI a/	1020	26	200,000.00		139,912,898.47				
14/01/91		Paymt to TG-KB fav.WKR	1045	47	41,333.35		139,954,231.82				
11/01/91		Paymt to Woolley London	1045 S	48	2,970.00		139,957,201.82				
11/01/91		Paymt to Handelsbank NatWest	1045	69	8,000.00		139,965,201.82				
21/01/91		SBC paymt to AH Assoc.GE	1045	77	335,393.00		140,300,594.82				
28/01/91		BSI paymt to WKR a/c	1020	100	900,000.00		141,200,594.82				
28/01/91		BSI paymt to WKR a/c	1020	101	1,000,000.00		142,200,594.82				
28/01/91		SBC paymt to WKR a/c ManyMany	1045 S	102	603,819.44		142,804,414.26				
31/01/91		BSI paymt by WKR	1020	114		49,500,000.00	93,304,414.26				
31/01/91		WKR comm. B.Paribas GE on 50m	3900	251		500,000.00	92,804,414.26				
31/01/91		Sep. WKR/Paribas credit fac.	2124	477	42,913,750.00		135,718,164.26				
01/02/91		SBC paymt to WKR a/c SCI	1045	152	10,000,000.00		145,718,164.26				
06/02/91		BSI paymt to WKR	1020	160	500,000.00		146,218,164.26				
08/02/91		BSI cash drawing/memo MOH/MD	1020	348	80,000.00		146,298,164.26				
		04/30/91									
12/02/91		BSI paymt to WKR a/c UOB GE	1020	178	509,819.45		146,807,983.71				
28/02/91		Lloyds trf.20000 ADIA B/S fro	1038	258	7,500,000.00		154,307,983.71				
		B.Paribas for 7.5m to CS f.20m									
15/03/91		Paymt 7 m for 8850 shs	1071 S	334	1,780,000.00		156,087,983.71				
31/03/91		WKR 9.25% CHF-c/a 1st qu. 91	6002	380	2,860,794.95		158,948,778.66				
21/06/91		Quart sold 50 OHNI from WKR	1569	517		789.20	158,947,989.46				
30/06/91		WKR 9.25% c/a-CHF 2nd qu.91	6002	527	3,716,529.70		162,664,519.16				
30/06/91		WKR trf DEM-c/a balance to CHF	1524	563	353,065.54		163,017,584.70	DEM	86.4500	8	408,404.32
04/09/91		WKR 8.75% c/a 3rd qu. 1991	6002	637	2,615,073.75		165,632,658.45				
Transfer					88,519,752.55	60,893,619.20	165,632,658.45				

194396

17 Omni Securities Ltd.

Acct. 1124 W.R. Rey 01/01/91 - 31/12/91

Acct. Period : 1991

Date : 19/12/95 Page : 2

Doc Date Text	Offsetting A	Doc.	Debit	Credit	Balancetotal	Isocode	Rate B	CHF Amount
Transfer			88,519,752.55	60,893,619.20	165,632,658.45			
Bal. 01/01/91 - 31/12/91			88,519,752.55	60,893,619.20	27,626,133.35			0.00
Bal prev per					138,006,525.10			0.00
Bal. acct. period					165,632,658.45			0.00

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 62 OF 1996

BETWEEN:

OMNI SECURITIES LTD. (IN LIQUIDATION)

PLAINTIFF

AND:

DANIEL J. SCHWAB

FIRST DEFENDANT

SYDNEY J. COLEMAN

SECOND DEFENDANT

PAGET-BROWN & COMPANY LIMITED

THIRD DEFENDANT

ACKNOWLEDGMENT 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 where appropriate*)

_____yes

Service of the Writ is acknowledged accordingly.

(Signed) _____

[Attorney] for _____

[Defendant in person]

Address for service:

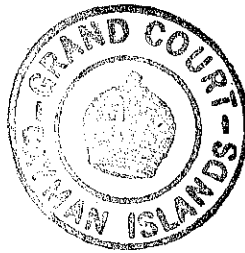
Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

Defendant in person: where the Defendant is acting in person, he must give his post 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 below.

W. S. Walker & Company
P.O. Box 265G,
George Town,
Grand Cayman

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



DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF ORIGINATING SUMMONS

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.

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 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.