

IN THE GRAND COURT OF THE CAYMAN ISLANDS

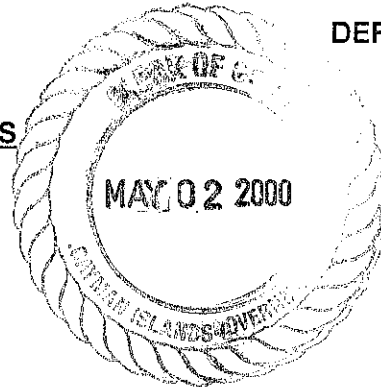
CAUSE NO. 342 OF 2000

IN THE MATTER OF THE REGISTERED LAND LAW (1995 REVISION).

BETWEEN: MALCOLM BUSH PLAINTIFF
AND: SARITA EBANKS DEFENDANT

ORIGINATING SUMMONS

To: Sarita Ebanks
P.O. Box 1652 GT
Grand Cayman



LET THE DEFENDANT, within 14 days after service of this Summons on her, counting the day of service, return the accompanying Acknowledgement of Service to the Courts Office, P.O. Box 495 G, George Town, Grand Cayman.

By this Summons, which is issued on the application of Mr. Malcolm Bush of P.O. Box 240, West Bay, the Plaintiff seeks the following declarations and orders:-

1. A declaration pursuant to section 37(2) of the Registered Land Law (1995) that by virtue of the oral agreement between the Plaintiff and the Defendant and the subsequent transfer of the property registered as West Bay North West Block 4E Parcel 363, ("the Property"), a resulting trust has been created ("the Trust").
2. That by virtue of this Trust, the Defendant holds the Property on trust for the benefit of the Plaintiff.
3. That the purpose for the Trust having failed, the Defendant do transfer the Property to the Plaintiff within 14 days of the date of this order.
4. That all further and necessary directions may be given.

5. Costs.
6. Further or other relief as the Court may think just.

If the Defendant does not acknowledge service, such judgement may be given or order made against or in relation to him as the Court may think just and expedient.

Dated the 2ND day of MAY 2000.

Charles Adams Ritchie Duckworth
CHARLES ADAMS, RITCHIE & DUCKWORTH

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 Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, British West Indies

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**ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS**

Important. Read the accompanying Delay may result in judgment being direction and notes for guidance carefully entered against a Defendant whereby he before completing this form. If any may have to pay the costs of applying to set information required is omitted or given it aside. wrongly, THIS FORM MAY HAVE TO BE RETURNED.

1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons 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

Service of the Originating Summons is acknowledged accordingly

(Signed)
[Attorney] for
Address for Service:

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 or principal office.

Indorsement by Plaintiff's attorney (or by Plaintiff is suing in person) of his name, address and reference, if any, in the box below.

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

Filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of its said Attorneys-at-Law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I.

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, an Originating Summons 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.
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.