

IN THE GRAND COURT OF THE CAYMAN ISLANDS

HOLDEN AT GEORGE TOWN, GRAND CAYMAN

CAUSE NO. 447 OF 2000

IN THE MATTER OF THE EVIDENCE (PROCEEDINGS IN OTHER JURISDICTIONS)(CAYMAN ISLANDS) ORDER 1978

AND IN THE MATTER OF CIVIL PROCEEDINGS NOW PENDING BEFORE THE THIRD CIRCUIT COURT OF THE CIVIL DIVISION OF THE FIRST JUDICIAL CIRCUIT OF PANAMA, ENTITLED: Jose Pineda Trinidad vs. Eduardo Masferrer and/or Banco Del Istmo S.A.

AND IN THE MATTER OF LETTERS ROGATORY REQUESTING INTERNATIONAL JUDICIAL ASSISTANCE FOR THE OBTAINING OF EVIDENCE



EX PARTE SUMMONS



LET ALL PARTIES attend before the Judge in Chambers at the Law Courts, George Town on the 8 day of JUNE 2000 at 9 o'clock in the fore/afternoon on the hearing of an application by the Attorney-General for an Order, in terms of the attached draft, that evidence be taken in relation to the above mentioned civil proceedings in accordance with the above mentioned Order in Council, pursuant to a request from the Third Circuit Court of the Civil Division of the First Judicial Circuit of Panama.

DATED this 26<sup>th</sup> day of MAY 2000

Handwritten signature of Rosemary E. Mead in cursive script.

Crown Counsel, for Attorney-General

TO: The Clerk of the Courts

TIME ESTIMATE: The estimated length of time for the hearing of this application is 20 minutes.

Filed by the Attorney-General whose address for service is Government Legal Department, 4th Floor, Tower Building, George Town, Cayman Islands, BWI.

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**AND IN THE MATTER OF LETTERS ROGATORY REQUESTING INTERNATIONAL JUDICIAL ASSISTANCE FOR THE OBTAINING OF EVIDENCE**

**ORDER**

UPON HEARING Crown Counsel for the Attorney-General

AND UPON READING the Affidavit of Duncan Edward Nicol, Crown Counsel, filed on the  
'    day of            2000

AND being satisfied that civil proceedings are pending in the Third Circuit Court of the Civil Division of the First Judicial Circuit of Panama, and that such court wishes to obtain evidence regarding a corporation known as Banistmo Financial Services, Inc

IT IS ORDERED that the Registrar of Companies, or such other person as he may designate, do swear an affidavit before the Deputy Clerk of this Honourable Court, who is hereby appointed examiner herein, at such day and time as the examiner may appoint, in relation to the following matters:

- (a) The registration details of Banistmo Financial Services Inc..
- (b) The identities of those acting as directors, officers and representatives or attorneys-in-fact of the said company.

IT IS ALSO ORDERED that the said examiner do sign a copy of the affidavit made in pursuance of this Order, and when so completed do send it, together with this Order and the Letters Rogatory, to the Clerk of the Court for transmission to the court desiring the said evidence.

DATED this    day of            2000

FILED this    day of            2000

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JUDGE OF THE GRAND COURT

DRAFT

Filed by the Attorney-General for and on behalf of the Governor-in-Council whose address for service is Government Legal Department, 4th Floor, Tower Building, George Town, Cayman Islands, BWI.

PENAL NOTICE: TAKE NOTICE that if you the above named witness neglect or fail to obey the terms of this order you will be liable to a process of arrest and execution to compel you to obey the same.