

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 89 OF 1996

In the matter of  
**THE EVIDENCE (PROCEEDINGS IN OTHER  
JURISDICTIONS) (CAYMAN ISLANDS)  
ORDER 1978**

- and -

In the matter of  
**ORDER 70 OF THE GRAND COURT RULES 1995**

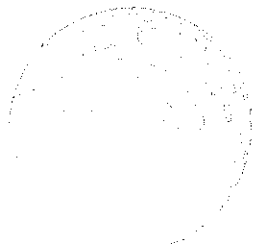
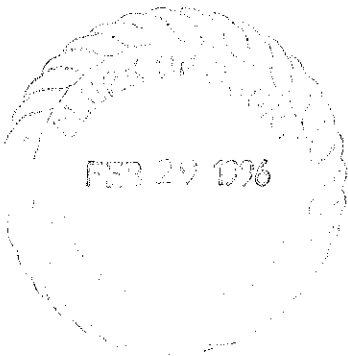
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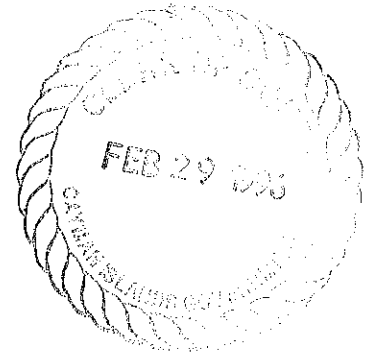
In the matter of  
**CRIMINAL PROCEEDINGS NOW PENDING  
BEFORE THE FIFTH CRIMINAL COURT OF  
SANTIAGO ROLL NO. 144.665-3 BEFORE JUDGE  
JOSE BENQUIS CAMHI ENTITLED AS  
FOLLOWS:**

- (1) **THE COPPER WORKERS FEDERATION**
- (2) **THE STATE DEFENCE COUNCIL**
- (3) **THE CHILEAN COMMUNIST PARTY**
- (4) **THE MANAGEMENT TO THE DIRECTORS  
OF CODELCO**

v.

**JUAN PABLO BENJAMIN DAVILA SILVA**





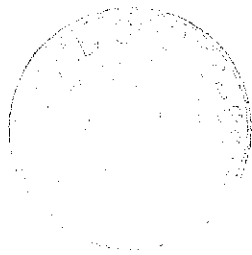
EX-PARTE ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before a Judge in Chambers, at the Law Court, George Town, Grand Cayman, on the 18<sup>th</sup> day of March 1996 at 9-30 a.m./~~p.m.~~ on the hearing of an application on behalf of Judge Jose Benquis Camhi, Minister of the Court of Appeal of Santiago, Visiting Minister in the Fifth Criminal Court of Santiago, Republic of Chile, dated the 31st January 1996 for an Order that:-

1. The Clerk of the Grand Court of the Cayman Islands or such other person as this Honourable Court may think fit be appointed Examiner to take down or cause to be taken down in writing the evidence of Mr. Gunter Backer ("the Witness"), the Manager of the Grand Cayman Branch of Deutsch Sudamerikanische Bank A.G. of Anderson Square Building, P.O. Box 2002, George Town, Grand Cayman.
2. That the Witness, the Manager of the Grand Cayman Branch of Deutsch Sudamerikanische Bank A.G. or his successor, be compelled to attend before the said Examiner herein at the offices of Quin & Hampson of Harbour Centre, Third Floor, George Town, Grand Cayman, on the appointed day or such other day(s) and time(s) as the said Examiner may appoint and that the said Witness be examined upon oath or affirmation touching the testimony so required by Judge Jose Benquis Camhi, Minister of the Court of Appeal of Santiago, Visiting Minister in the Fifth Criminal Court of Santiago, Republic of Chile pursuant to the Letter of Request dated the 31st January 1996.

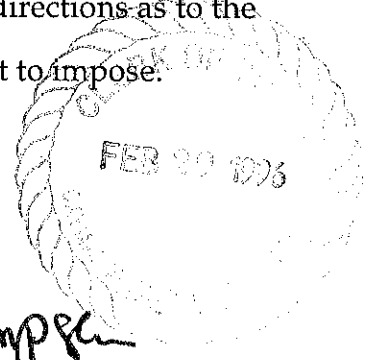
3. That the said Witness do produce all relevant documents or authenticated copies of documents pursuant to the Letter of Request to be marked in numerical order as the Defendant's exhibits. The term "documents" as used here means all hand-written, typed, printed and photostated matter and drafts, duplicates, carbon copies, thermofax copies, xerox copies, photostatic copies and other copies thereon.
4. That the said Examiner herein do take down or cause to be taken down in writing the evidence of the said Witness in examination, or cross-examination and re-examination in accordance with Order 39 of the Grand Court Rules, and further do require the said Witness to sign his deposition in the said Examiner's presence and when so completed file them with the Clerk of the Grand Court to be forwarded to Judge Jose Benquis Camhi as set out in the letter of Request.
5. That there be liberty to apply for such further and other directions as to the conduct of this matter as this Honourable Court deems fit to impose.

DATED this 29th day of February, 1996



*Quin & Hampson*

QUIN & HAMPSON  
Attorneys-at-Law for the Applicant



To: The Clerk of the Court

TIME ESTIMATE: The estimated length of the hearing of this Summons is 1 hour.

This **Summons** was issued by Quin & Hampson, Attorneys-at-Law for the Applicant herein, whose address for service is Harbour Centre, Third Floor, P.O. Box 1348, George Town, Grand Cayman.

