

IN THE GRAND COURT OF THE CAYMAN ISLANDS

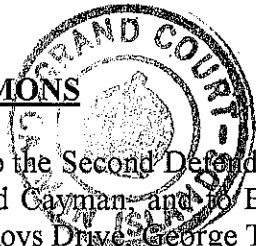
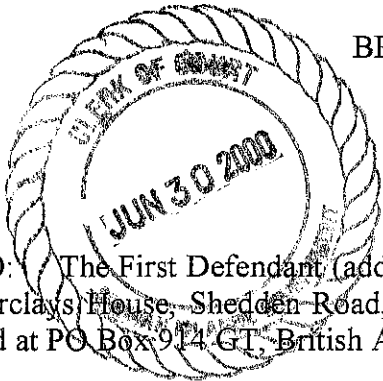
CAUSE NO. SS0 of 2000

BETWEEN DARLENE RUTH ROHLAND PLAINTIFF

AND MICHAEL KARL ROHLAND FIRST DEFENDANT

BARCLAYS BANK PLC SECOND DEFENDANT

BRITISH AMERICAN BANK LTD THIRD DEFENDANT



WRIT OF SUMMONS

TO: The First Defendant (address unknown); and to the Second Defendant of PO Box 68 GT, Barclays House, Shedden Road, George Town, Grand Cayman and to British American Bank Ltd at PO Box 914 GT, British American Centre, Dr Roys Drive, George Town, 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 service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495 GT, George Town, Grand Cayman, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiffs may proceed with the action and judgement may be entered against you forthwith without further notice.

ISSUED this 30<sup>th</sup> day of June 2000

**NOTE:** This Writ may not be served later than 4 calendar months beginning with the date of issue unless renewed by order of the Court.

**IMPORTANT**

Directions for Acknowledgement of Service are given with the accompanying form.



**GENERAL ENDORSEMENT**

The Plaintiff's claim is in respect of funds to which the Plaintiff was jointly beneficially and/or legally entitled ("the funds") (1) wrongfully (and in breach of an Order of the District Court of the 330<sup>th</sup> Judicial District, Dallas County, Texas dated 15<sup>th</sup> January 1999) transferred on or about 16<sup>th</sup> September 1999 by the First Defendant from an account held by the Plaintiff named the Dean Witter Retirement Account held with Morgan Stanley to an account in the First Defendant's name numbered 02-27412 with Jameson International Foreign Exchange Corp., Ontario and thereafter (2) wrongfully (and in further breach of the said Order) transferred by the First Defendant on three separate occasions between about 15<sup>th</sup> October 1999 and 20<sup>th</sup> November 1999 from the said account number 02-27412 with Jameson International Foreign Exchange Corp., Ontario to (1) an account in the First Defendant's name numbered 280762361 with the Second Defendant (2) an account in the First Defendant's name numbered 7078624 with the Second Defendant and (3) an account in the First Defendant's name numbered 01521-112694-00 with the Third Defendant.

In the premises the Plaintiff claims:

1. As against the First Defendant, as constructive Trustee of the funds and/or in respect of the wrongful interference with and/or conversion of the funds and/or in any event:
  - (a) Restitution of the funds and/or
  - (b) Money had and received in respect of the funds and/or
  - (c) An account in respect of the funds and/or
  - (d) Damages in the sum of the funds and/or
  - (e) A Declaration to the effect that the Plaintiff has a beneficial and/or legal entitlement to the funds and/or that the First Defendant is not entitled to dispose of or make use of the funds without the consent of the Plaintiff and/or
  - (f) An Order that the funds be re-transferred to the account held by the First Defendant named the Dean Witter Retirement Account held with Morgan Stanley from which wrongfully (and in breach of an Order of the District Court of the 330<sup>th</sup> Judicial District, Dallas County, Texas dated 15<sup>th</sup> January 1999) the funds were transferred on or about 16<sup>th</sup> September 1999 by the First Defendant and/or
  - (g) Such tracing and/or discovery and/or injunctive and/or other equitable or other relief as the Court shall consider just and necessary
  
2. As against the Second and/or Third Defendants, as Trustees and/or Constructive Trustees and/or recipients of the funds and/or as agent of the First Defendant and/or in respect of the wrongful interference with and/or conversion of the funds and/or in any event:
  - (a) Restitution of the funds and/or
  - (b) Money had and received in respect of the funds and/or
  - (c) An account in respect of the funds and/or
  - (d) Damages in the sum of the funds and/or
  - (e) A Declaration to the effect that the Plaintiff has a beneficial and/or legal entitlement to the funds and/or that the First Defendant is not entitled to dispose of or make use of the funds without the consent of the Plaintiff and/or

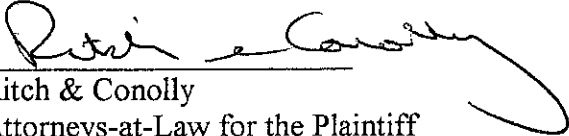


- (f) Such tracing and/or discovery and/or injunctive and/or other equitable or other relief as the Court shall consider just and necessary

3. As against all and each of the Defendants

- (a) Interest on all sums found due to the Plaintiff pursuant to S. 34 of the Judicature Law (1995 Revision) and the Rules made thereunder at such rate as the Court thinks just and/or equitable.
- (b) Costs;

Dated this 28<sup>th</sup> day of June 2000.

  
Ritch & Conolly  
Attorneys-at-Law for the Plaintiff

This Writ of Summons was issued by Ritch & Conolly, Attorneys-at-Law for an on behalf of the Plaintiff herein whose address for service is that of their said Attorneys at Law of PO Box 1994 GT, Fourth Floor, Queensgate House, 113 South Church Street, George Town, Grand Cayman, B.W.I.

