

IN THE GRAND COURT OF THE CAYMAN ISLANDS

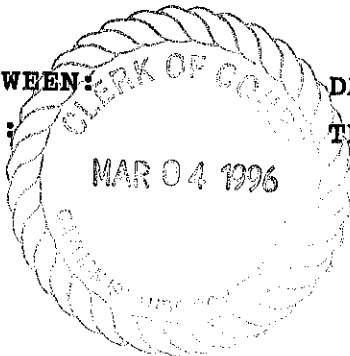
CAUSE NO. 112 OF 1996

IN THE MATTER OF BRAC REALTY & INVESTMENT COMPANY LTD.

- and -

IN THE MATTER OF THE COMPANIES LAW (REVISED), SECTION 177

BETWEEN: DAVID ALLEN BODDEN PLAINTIFF  
AND: THE REGISTRAR OF COMPANIES DEFENDANT



ORIGINATING SUMMONS



LET THE DEFENDANT of the Tower Building, George Town, Grand Cayman attend before a Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the 21 day of March 1996, at 4:15 o'clock on the hearing of an application by the Plaintiff of P. O. Box 31630, Seven Mile Beach, Grand Cayman, B.W.I.

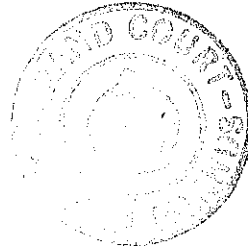
1. The Defendant restore Brac Realty & Investment Company Ltd. to the Register of Companies on payment of re-instatement and any other fees due and filing of outstanding annual returns, and thereupon Brac Realty & Investment Company Ltd. shall be deemed to have continued in existence as if its name had not been struck off the Register of Companies;
2. Such further or other relief as the Court may think just; and
3. The Defendant advertise the restoration in the *Cayman Gazette* upon service on him of a duly sealed copy of the Order granted.



**AND LET THE DEFENDANT** within 14 days after service of this Summons on him counting the day of service, return the accompanying Acknowledgment of Service to the Courts office.

DATED the *4* day of *March* 1996.

*Lish Chahel*  
\_\_\_\_\_  
MYERS & ALBERGA



NOTES:-

- (1) This Summons may not be served later than 4 calendar months beginning with the above date unless renewed by order of the Court.
- (2) If a defendant does not attend personally or by his attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient.

**IMPORTANT**

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

**TIME ESTIMATE:** The estimated length of the hearing of this Summons is approximately 15 minutes.

This Originating Summons was issued by Myers & Alberga, Attorneys-at-Law for and on behalf of the Plaintiff, whose address for service is that of their said Attorneys-at-Law, One Regis Place, P.O. Box 472, George Town, Grand Cayman, Cayman Islands, B.W.I.



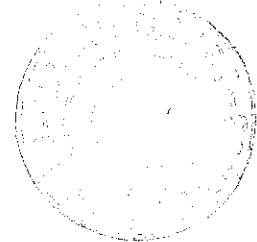
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 122 OF 1996

IN THE MATTER OF BRAC REALTY & INVESTMENT COMPANY LTD. and  
IN THE MATTER OF THE COMPANIES LAW (REVISED), SECTION 177

BETWEEN:                      DAVID ALLEN BODDEN                      PLAINTIFF  
AND:                              THE REGISTRAR OF COMPANIES                      DEFENDANT

ACKNOWLEDGMENT OF SERVICE  
OF ORIGINATING 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.

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

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2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes                       no

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Service of the Originating Summons is acknowledged accordingly

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

*Myers & Alberga  
One Regis Place  
Mary Street  
P.O. Box 472 GT  
Grand Cayman, B.W.I.*

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

[Empty box for defendant's attorney indorsement]



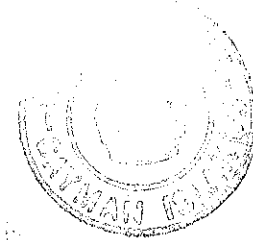
(Signed) .....

[Attorney] for

[Defendant in person]

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 principal office.*



**No. 9**

**Acknowledgment of service of originating summons (O.10, r.5)**

**DIRECTIONS FOR ACKNOWLEDGMENT 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. If you wish to defend claims made in the originating summons, or intend to attend the proceedings and to participate in them so far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the acknowledgment of service.
3. 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.
4. 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)".
5. 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.
6. 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.

7. 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.
8. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.

