

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 814 OF 2000

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

B E T W E E N:

SCOTIABANK (CAYMAN ISLANDS) LTD.

Plaintiff

AND

LYNDON MARTIN

Defendant



TO: Lyndon Martin, P.O. Box 2899 GT, Grand Cayman,
the Chargor under the legal charge hereinafter mentioned


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

BY THIS SUMMONS, which is issued on the application of the Plaintiff, Scotiabank (Cayman Islands) Ltd., Cardinal Avenue, P.O. Box 689 GT, George Town, Grand Cayman, as the Chargee under the legal charges hereinafter mentioned, the Plaintiff seeks the following relief pursuant to section 77 of the Registered Land Law (1995 Revision), namely:

1. A declaration that the Defendant is in default of payment of the principal sums payable under a Collateral First Charge dated 27 November 1997, a Collateral Second Charge dated 27 November 1997, a Variation of First Charge dated 2 October 1997 and a Variation of Second Charge dated 2 October 1997 made between the Defendant and the Plaintiff ("the Charges"), by virtue of which the property in the Savannah Registration Section Block 27D Parcel 171 and Savannah Registration Section Block 27D Parcel 172 ("the Properties") was charged by the Defendant by way of legal charges in favour of the Plaintiff to secure repayment to the Plaintiff of the principal sums of CI\$200,000.00 and CI\$50,000.00, with interest at the rate specified in the schedules thereto.
2. Delivery by the Defendant to the Plaintiff of possession of the Properties.
3. An order that the Charges may be enforced by the sale by private treaty of the Property (as well as by Public Auction).
4. Such further or other relief as the Court thinks fit.
5. Costs.

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

Dated the th27 day of October, 2000


Hunter & Hunter

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

IMPORTANT

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

This Originating Summons was filed by Hunter & Hunter Attorneys-at-Law for the Plaintiff whose address for service is 75 Fort Street, P.O. Box 190 GT, George Town, Grand Cayman (Ref: NVCJ/00187.041)