

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 309 OF 2001

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

B E T W E E N:

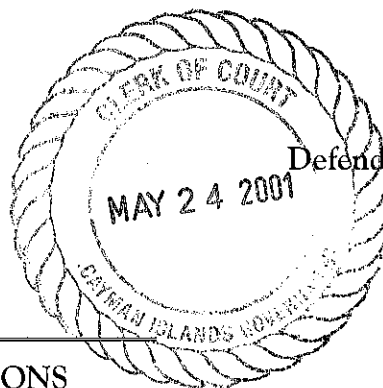
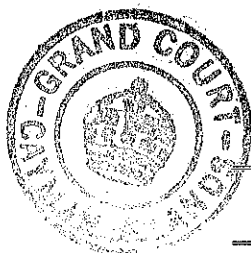
NATIONAL BUILDING SOCIETY

Plaintiff

AND

NIGEL MCLEOD
MARTHA MCLEOD

Defendants



ORIGINATING SUMMONS

TO: Nigel Mcleod & Martha Mcleod P.O. Box 263 Savannah, # 53 Plum Tree Road Northward, Bodden Town Grand Cayman, the Chargor under the legal charge hereinafter mentioned

LET THE DEFENDANTS, within 14 days after service of this Summons on them, 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, National Building Society Eastern Avenue, P.O. Box 504 GT, Unit 5, Capital Life Building Grand Cayman, as the Chargee under the legal charge 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 sum payable under the Variation of Charge dated 4th December, 1996 ("The Charge") made between the Defendant and the Plaintiff, by virtue of which the property in the Lower Valley Registration Section Block 38B Parcel 438 ("the Property") was charged by the Defendant by way of a legal charge in favour of the Plaintiff to secure repayment to the Plaintiff of the principal sum of CI\$56,300.00 with interest at the rate of 12.5% per annum
2. Delivery by the Defendant to the Plaintiff of possession of the Property.
3. An order that the Charge 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 Defendants do not acknowledge service, such judgment may be given or order made against or in relation to them as the Court may think just and expedient.

Dated the 23 day of May, 2001

Hunter & Hunter
Hunter & Hunter
Attorneys at Law for the Plaintiff

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: ZM/06065.080)

DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE OF ORIGINATING SUMMONS

The accompanying form of Acknowledgement 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 495 GT, George Town, Grand Cayman.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement 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 acknowledgement 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.

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B E T W E E N:

NATIONAL BUILDING SOCIETY

Plaintiff

AND

NIGEL MCLEOD
MARTHA MCLEOD

Defendants

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.

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

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

Yes

No

Service of the Originating Summons is acknowledged accordingly

[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 or principal office.

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

Hunter & Hunter
75 Fort Street
The Huntlaw Building
P.O. Box 190 GT
Grand Cayman
Cayman Islands
ZM/06065.035

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