

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 502 OF 2001

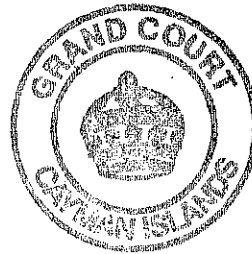
IN THE MATTER OF THE REGISTERED LAND LAW (1995 REVISION)

B E T W E E N:

NATIONAL BUILDING SOCIETY

Plaintiff

AND



FLAVIA GARDNER

Defendant



ORIGINATING SUMMONS

TO: Flavia Gardner P.O Box 13 BT Grand Cayman, Cayman Islands  
the Chargor under the legal charge hereinafter mentioned

LET THE DEFENDANT, within 14 days after service of this Summons on her, 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 30<sup>th</sup> May 1997 (The Charge") made between the Defendant and the Plaintiff, by virtue of which the property in the West Bay Registration Section Block 31A Parcel 42 ("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\$30,074.85 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 Defendant does not acknowledge service, such judgment may be given or order made against or in relation to her as the Court may think just and expedient.

Dated the 9<sup>th</sup> day of August, 2001

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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/06065.0065)

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ACKNOWLEDGMENT OF SERVICE  
OF ORIGINATING SUMMONS

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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:
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2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

Yes

No

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Service of the Originating Summons is acknowledged accordingly

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(signature)

[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.*

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