

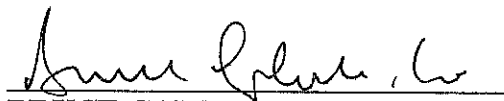


By this Summons, which is issued on the application of ATC Trustees (Cayman) Ltd., of Cayside, Second Floor, Harbour Drive, George Town, Grand Cayman, B.W.I. The Plaintiff seeks the determination of the Court on the following questions namely:-

1. The status of the Third Defendant, Bridget Tiernan Bryan in relation to the First Defendant William Jennings Bryan and his assets in view of the Orders of the Common Court of Pleas of Allegheny County Pennsylvania, Orphans Court Division Case No. 5768 of 2000 dated 30<sup>th</sup> August 2000 and 18<sup>th</sup> April 2001 appointing the Third Defendant the Plenary Guardian of the First Defendant and of his Estate (the "Guardianship Orders").
2. Whether the transfer by the Plaintiff as Trustee of the beneficial interest in AZL Corporation, a company incorporated under the laws of the Cayman Islands from the sole name of the First Defendant to joint names of the First Defendant and Second Defendant, made on the instruction of the First Defendant on 4<sup>th</sup> July 2001, but without knowledge on the part of the Plaintiff of the making of the Guardianship Orders should be varied altered or reversed in view of the making of the Guardianship Orders.
3. Upon whose instruction the Plaintiff should act as the Trustees of the shares in AZL Corporation.

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 this <sup>OPR</sup> 6<sup>th</sup> day of September, 2001.

  
**BRUCE CAMPBELL & CO.**  
**Attorneys-at-law for the Plaintiffs**

**Time Estimate: 1 hour**

To: The Clerk of the Court

And to: First Defendant

And to: Second Defendant

And to: Third Defendant

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

**IMPORTANT**

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

**This Originating Summons** is filed by Bruce Campbell & Co., attorneys-at-law for the Plaintiffs whose address for service is 4<sup>th</sup> Floor, Bank of Nova Scotia Building, George Town, Grand Cayman.

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE

OF WRIT OF SUMMONS

1. 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 495, George Town, Grand Cayman

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

*See over for notes for guidance*

### 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. 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.
3. 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 Writ of Summons*)".
4. 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.
5. 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.
6. 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 his behalf.
7. Where the Defendant is a **MINOR** or a **MENTAL PATIENT**, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.



**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.*

Messrs. Bruce Campbell & Co.  
Attorneys-at-Law  
Fourth Floor,  
Bank of Nova Scotia Building,  
P.O. Box 884,  
George Town,  
GRAND CAYMAN

*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]