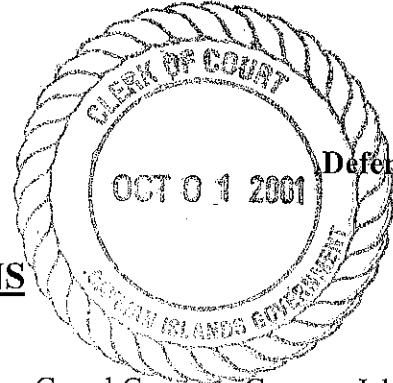


IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 611 OF 2001

Between: 1. CALYPSO GRILL LIMITED Plaintiffs
2. BRUCE ROHLEDER
3. JAMES MASON
4. TERRY GRIMES

And: JOELLE MCCRAE Defendant



WRIT OF SUMMONS

TO: Joelle McCrae, P.O. Box 31707 SMB, Grand Cayman, Grand Cayman, Cayman Islands

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs in respect of the claim set out on the next page.

Within 14 days after service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495GT, George Town, Grand Cayman, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 1st day of October, 2001.

Note – This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue unless renewed by order of the Court.

IMPORTANT

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

INDORSEMENT

The claims for relief by the Plaintiffs against the Defendant arise out of and/or are connected with a liquor, music and dancing license #R49 (the "Licence") held by the Defendant for and on behalf of the First Plaintiff and the Defendant's breach of the terms of a Shareholders' Agreement dated 11 May 1999 as amended by a Supplemental Shareholders' Agreement dated 11 May 1999 (collectively, the "Agreement").

AND THE FIRST PLAINTIFF CLAIMS against the Defendant:


1. A declaration that the License is held by the Defendant for and on behalf of the First Plaintiff.
2. A declaration that the Defendant has breached his fiduciary duties as a director of the First Plaintiff by interfering with the First Plaintiff's business in a manner detrimental to the company.
3. An order that the Defendant account to the First Plaintiff for all loss and damage occasioned by the said breach of fiduciary duty.
4. An injunction restraining the Defendant from selling, transferring, assigning, revoking or otherwise dealing with the Licence save with the consent of the First Plaintiff.
5. An injunction restraining the Defendant from entering the premises of the First Plaintiff or interfering with the staff or disrupting the business of the First Plaintiff.
6. An order that the Defendant deliver up to the First Plaintiff all accounting documentation, including invoices, cheques, bank statements and ledgers in his possession, custody or control.

AND THE SECOND TO FOURTH PLAINTIFFS CLAIM against the Defendant:

7. Specific performance of the Agreement for the sale by the Defendant to the Second Plaintiff of his shares in the First Plaintiff.
8. A direction that the Defendant transfer his shares in the First Plaintiff to the Second Plaintiff pursuant to the terms of the Agreement in consideration of such sum as the Court may direct.
9. Alternatively, damages for breach of contract.

AND THE FIRST TO FOURTH PLAINTIFFS CLAIM against the Defendant:

10. Interest on all sums found due to the Plaintiffs pursuant to Section 34 of the Judicature Law (1995 Revision) and the rules made thereunder and/or in equity at such rate and for such period as this Honourable Court thinks just.
11. Such further or other declarations, orders, accounts and enquiries as this Honourable Court thinks fit.
12. Costs.


Charles Adams, Ritchie & Duckworth
Attorneys-at-Law for the Plaintiffs

This Writ was issued by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiffs, whose address for service is that of the said Attorney's, 2nd Floor, Zephyr House, Mary Street, P O Box 709GT, Grand Cayman.

Acknowledgment of service of writ of summons (O.12, r.3)

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS

1. The accompanying form of Acknowledgment of Service should be detached and 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, Cayman Islands, B.W.I.

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 instalments or otherwise.

See over for notice for guidance

Please complete overleaf

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 Court 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 its 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.

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4. TERRY GRIMES

And: JOELLE MCCRAE Defendant

ACKNOWLEDGMENT OF SERVICE

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

Delay may result in judgement being entered against a Defendant whereby he or his Attorney may have to pay the costs of applying to set it aside.

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

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

yes no

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgement entered by the Plaintiff (tick box)

yes no

Service of the Writ is acknowledged accordingly

(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 or principal office.

Indorsement by Plaintiffs' Attorney of his name, address and reference, if any, in the box below.

Charles Adams, Ritchie & Duckworth
Attorneys-at-Law
2nd Floor, Zephyr House
George Town, Grand Cayman, B.W.I.
Attn: G.F. Ritchie – Our Ref: 089/900 GFR

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

[Empty box for Defendant's Attorney indorsement]

Filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiffs herein whose address for service is that of its said Attorneys-at-Law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I.