



By this Summons, which is issued on the application of **EVELYN D. TIBBETTS** of P.O. Box 561, George Town, Grand Cayman, the Plaintiff seeks the directions of the Court on the following questions, namely,

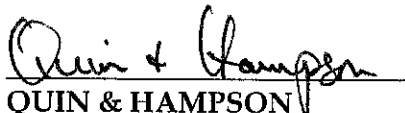
1. Whether the Estate is entitled to be credited with interest on the sum of US\$960,000.00, being 60% of the sum of US\$1,600,000.00 to which the Estate is entitled which on the date of the death of the deceased was deposited in Certificate of Deposit No 350500 at Cayman National Bank Limited in the name of First Realty of Cayman Ltd. and the period and rate of such interest to which the Estate is entitled.
2. Whether the Estate is liable for all the legal fees and disbursements charged to the Estate by Campbells, formerly Bruce Campbell & Company, Attorneys-at-Law, and if not, for what proportion of those fees and disbursements is the Estate liable.

AND FOR THE FOLLOWING ORDERS:

1. That the Defendant, whether by himself, his servants or agents, by corporations which he controls or howsoever otherwise be restrained pending the determination of the questions herein or until further order of the Court from disposing of, procuring the transfer of, charging or in any way dealing with the following properties:
  - (i) A deposit account at Bank of Butterfield International (Cayman) Limited in the name of Kim Lund the funds with a balance as at the 6<sup>th</sup> of December, 2001 of US\$1,229,325.78;
  - (ii) Property registered as Registration Section West Bay Beach North, Block 11D, Parcel 31H38 in the name of PopT Investments Ltd;
  - (iii) Property registered as Registration Section South Sound, Block 7C, Parcel 8 in the name of Premier Investments Ltd.
2. That the costs of this application be paid on an indemnity basis by the Estate.

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 22<sup>nd</sup> day of March, 2002

  
QUIN & HAMPSON  
Attorneys-at-Law for the Plaintiff

**NOTES**

- (1) This Summons 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 above date unless renewed by order of the Court.
- (2) If a defendant does not attend personally or by his attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient.

**IMPORTANT**

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

**THIS ORIGINATING SUMMONS** was filed by Messrs. Quin & Hampson, Attorneys-at-Law for the Plaintiff herein whose address for service and correspondence is that of her said Attorneys-at-Law, 3rd Floor, Harbour Centre, P.O. Box 1348, George Town, Grand Cayman, Cayman Islands, B.W.I.

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE  
OF ORIGINATING SUMMONS

The accompanying form of *Acknowledgment of Service* should be completed by an Attorney acting on behalf of the Respondent or by the Respondent 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

*Notes for Guidance*

1. Each Respondent (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 Respondent personally is treated as having been served on the day it was delivered to him.
3. Where the Respondent 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*)".
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 Respondent 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 Respondent 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 Respondent is a **MINOR** or a **MENTAL PATIENT**, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Respondent acting in person may obtain help in completing the form at the Courts Office.



Service of the Originating Summons is acknowledged accordingly

(Signed) .....

[Attorney] for

[Respondent in person]

Address for service:

**Notes on address for service:**

*Attorneys: where the Respondent is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Respondent may not act by a foreign attorney.*

*Respondent in person: where the Respondent 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 principal office.*

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

Messrs. Quin & Hampson  
Attorneys-at-Law  
3rd Floor, Harbour Centre,  
P.O. Box 1348  
George Town,  
GRAND CAYMAN

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