

IN THE GRAND COURT OF THE CAYMAN ISLANDS

254  
CAUSE NO: OF 1996

In the matter of a declaration of trust made by Barclaytrust International (Cayman) Limited  
(known as "the Sandringham Trust") on 30th August, 1989

And in the matter of sec. 10 of The Trusts Law (R)

Fees Paid	\$100
Receipt No.	787648
Date	13 5 96

BETWEEN: BARCLAYS PRIVATE BANK &  
TRUST (CAYMAN) LIMITED

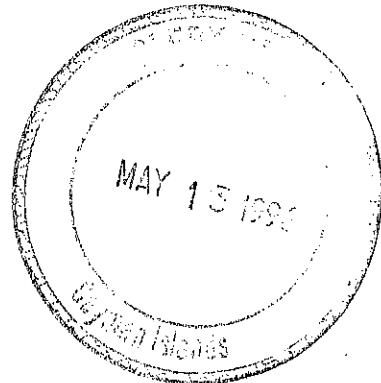
Plaintiff

AND: (1) DIANA L. GARMENDIA  
(2) CHARLES VICTOR GARMENDIA  
(3) VIRGINIA MARIE GARMENDIA  
(4) JAMES LAWRENCE GARMENDIA  
(5) RAUL J. VALDES-FAULI and  
JAMES J. LEACH in their capacity as  
personal representatives of the estate of  
JOSE LORENZO GARMENDIA, deceased

Defendants

ORIGINATING SUMMONS

TO: (1) DIANA L. GARMENDIA  
972 Bean Oller Road  
Delaware, Ohio 43015  
United States of America  
  
(2) CHARLES VICTOR GARMENDIA  
  
(a) EPS #R1003  
P.O. Box 025660  
Miami, Florida 33102  
USA



- (b) 85 Shore Drive West  
Miami, Florida 33133  
USA
  
- (c) Casa de Campo  
Villa Barranca #32  
La Romana  
Dominican Republic
  
- (3) VIRGINIA MARIE GARMENDIA  
972 Bean Oller Road  
Delaware, Ohio 43015  
United States of America
  
- (4) JAMES LAWRENCE GARMENDIA  
972 Bean Oller Road  
Delaware, Ohio 43015  
United States of America
  
- (5) (a) RAUL J. VALDES-FAULI  
2 South Biscayne Boulevard  
Suite 3400  
Miami, Florida 33131  
United States of America
  
- (b) JAMES J. LEACH  
14360 London Road  
Orient, Ohio  
43146  
United States of America



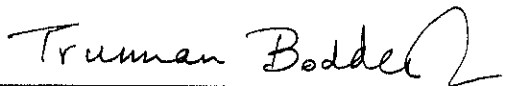
LET THE DEFENDANTS, within fourteen (14) days after service of this Summons on them, counting the day of service, return the accompanying Acknowledgement of Service to the Court's office, P.O. Box 495 G, George Town, Grand Cayman, Cayman Islands, B.W.I.

By this Summons, which is issued on the application of Barclays Private Bank & Trust (Cayman) Limited, of P.O. Box 487, Grand Cayman, Cayman Islands, B.W.I., the Plaintiff claims against the Defendants:

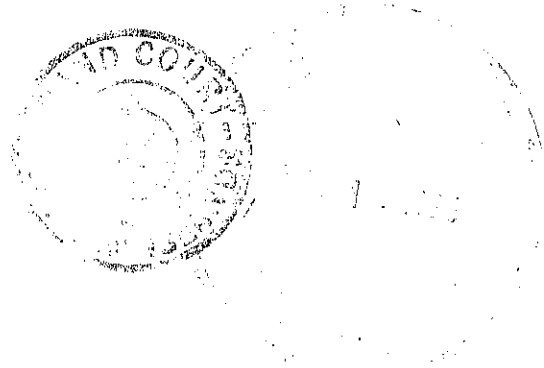
1. AN ORDER appointing James J. Leach and Eduardo Orlansky as new trustees of the Sandringham Trust in substitution for the Plaintiff, the sole existing trustee thereof.
2. FURTHER and/or other relief.
3. AN ORDER that the Plaintiff's costs of the action be paid out of the funds and/or property of the Sandringham Trust on an indemnity basis.

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 8<sup>th</sup> day of May, 1996



Truman Bodden & Company  
Attorneys-at-law for the plaintiff



NOTE - This Summons may not be served later than six (6) months beginning with that date unless renewed by order of the Court.

**IMPORTANT**

Directions for Acknowledgment of Service are given within the accompanying form.

THIS ORIGINATING SUMMONS was issued by Truman Bodden & Company, the attorneys-at-law for the plaintiff, whose address for service is P.O. Box 866, Anderson Square, 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 Defendants or by the Defendants 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. The Defendants are required to complete an Acknowledgment 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 acknowledgment of service.
3. For the purpose of calculating the period of 14 days for acknowledging service, an originating summons served on the Defendants personally is treated as having been served on the day it was delivered to them.
4. Where the Defendants are sued in a name different from their own, the form must be completed by them with the addition in paragraph 1 of the words "sued as (the names stated on the Originating Summons)".
5. Where the Defendants are 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 Defendants are sued as individuals TRADING IN A NAME OTHER THAN THEIR OWN, the form must be completed by them with the addition in paragraph 1 of the description "trading as (.....)" after their names.
7. Where the Defendants are 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 Defendants are MINORS or MENTAL PATIENTS, the form must be completed by an Attorney acting for a guardian ad litem.
9. Defendants acting in person may obtain help in completing the form at the Courts Office.



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Plaintiff

AND: (1) DIANA L. GARMENDIA  
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JOSE LORENZO GARMENDIA, deceased

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 is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

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- 
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 Originating Summons 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 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 plaintiff's Attorney (or by plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Truman Bodden & Company  
Anderson Square  
P.O. Box 866  
Grand Cayman  
Cayman Islands, B.W.I.

Indorsement by defendants' Attorney (or by defendant if defending in person) of his name, address and reference, if any, in the box below.

[Empty rectangular box for defendant's attorney indorsement]

