

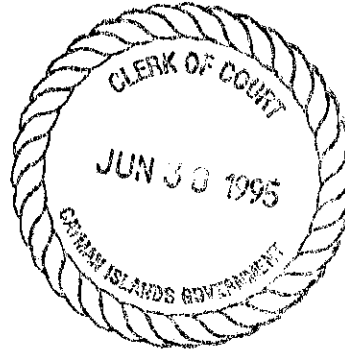
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO 28 / OF 1995

In the Matter of a Declaration of Trust made the 19th day of March 1981 ("the Byleven Trust")

And in the Matter of The Trusts Law (Revised)

B E T W E E N:



LLOYDS BANK INTERNATIONAL (CAYMAN) LIMITED

Plaintiff

AND

BYLEVEN CORPORATION S.A.

Defendant

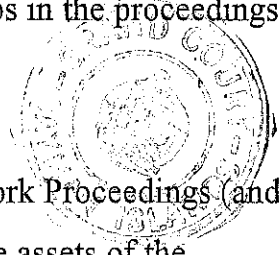
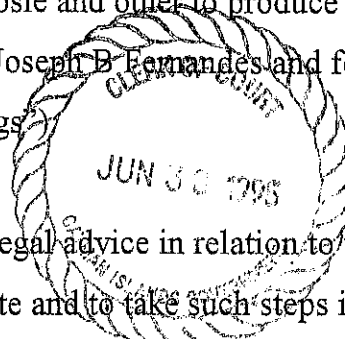
ORIGINATING SUMMONS

LET THE DEFENDANT of c/o Caledonian House, Mary Street, PO Box 265, George Town, Grand Cayman, Cayman Islands attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the *19* day of *July* 1995, at *9.30* o'clock in the fore/~~after~~ noon on the hearing of an application by the Plaintiff of CIBC Financial Centre, Dr Roy's Drive, George Town, Grand Cayman, BWI that:

1. The Plaintiff as the present trustee of the Byleven Trust be directed and authorised to appear in and defend the Application made in the Surrogate's Court of the State of

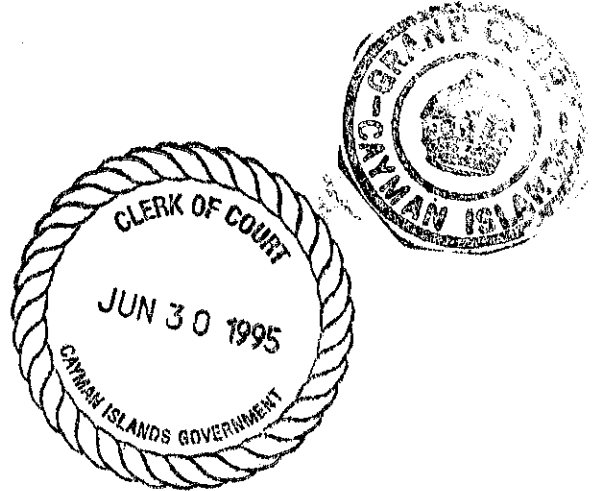
New York (File No 589/95) by William Lucie-Smith as Ancillary Executor and Michael M Leeds as Ancillary Administrator CTA of the Estate of Joseph B Fernandes to compel Curtis Mallet-Prevost Colt & Mosle and other to produce information concerning property belonging to the said Joseph B Fernandes and for ancillary relief relating thereto ("the New York Proceedings")

2. The Plaintiff be authorised to obtain such legal advice in relation to the New York Proceedings as it considers to be appropriate and to take such steps in the proceedings as it may be advised.
3. The Plaintiff be indemnified in respect of the costs of the New York Proceedings (and any legal advice or services obtained in relation thereto) out of the assets of the Byleven trust.
4. It may be determined (and directions given) as to whether the Byleven Corporation SA as the protector of the Byleven Trust should be indemnified out of the assets of the Byleven Trust in respect of the costs of any of its directors or shareholders incurred in the New York Proceedings.
5. Directions may be given pursuant to GCR O 85 r.3 as to which other (if any) parties should be joined as defendant to this Summons to represent the persons entitled under the trust declared in Articles I & II of the Byleven Trust.
6. All further and necessary directions may be given.
7. Provision may be made for the costs of this Application.



Dated this 27th day of June 1995.

Ian Boxall & Co
Ian Boxall & Co
Attorneys-at-Law for the Plaintiff



TO: Clerk of the Court

AND: W S Walker & Co
Caledonian House
PO Box 265,
George Town
Grand Cayman

This **ORIGINATING SUMMONS** is filed by Ian Boxall & Co, Attorneys at Law for the Plaintiff whose address for service is CIBC Financial Centre, PO Box 1234, George Town, Grand Cayman, Cayman Islands, B.W.I.

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CAUSE NO OF 1995

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B E T W E E N:

LLOYDS BANK INTERNATIONAL (CAYMAN) LIMITED

Plaintiff

AND

BYLEVEN CORPORATION S.A.

Defendant

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

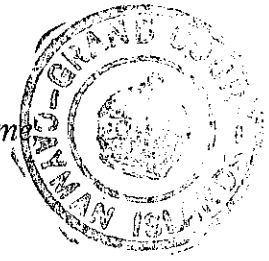
1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

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

yes

no

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



**Ian Boxall & Co
CIBC Financial Centre
PO Box 1234
George Town
Grand Cayman
Cayman Islands. Ref: 0137-006-01 PSB/cat**

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

Service of the 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 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.

Please complete overleaf