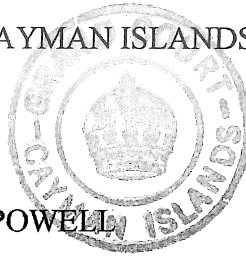


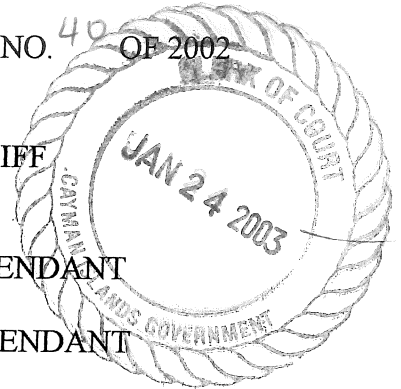
IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO. 40 OF 2002

BETWEEN: BARBARA R. POWELL
A N D: THE GLOBAL LIFE ASSURANCE CO. LIMITED
A N D: RAJA KAPOOR

PLAINTIFF
1ST DEFENDANT
2ND DEFENDANT



WRIT OF SUMMONS

To: The Global Life Assurance Co. Ltd.
Box 1087 GT
Global Life Building
North South Street,
Grand Cayman.

And To: Raja Kapoor
C/O Global Life Assurance Co. Ltd
Global Life Building
North South Street
Grand Cayman.

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

Within Fourteen days (14) after the 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 495G, 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 Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this day of , 2003

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 Acknowledgment of Service are given with the accompanying form.

STATEMENT OF CLAIM


The Plaintiff's claim against the 1st and 2nd Defendants is for breach of contract and damages.

- (1) The Plaintiff was at all material times the beneficiary of a Global Life Assurance Life Insurance Policy No taken out with the Defendant Company on 26th April, 1983 by David Gerrard Powell deceased the Plaintiff's late husband for the sum of C.I.\$50,000.00.
- (2) The Plaintiff will say that on or about February, 1994 the Plaintiff and her late husband David Gerrard Powell were approached by the 2nd Defendant as an insurance agent for Global Life Assurance Company Limited the 1st Defendant who suggested that their existing insurance policies should be increased from C.I.\$50,000.00 to from C.I.\$150,000.00.
- (3) The Plaintiff will say that in keeping with the decision to upgrade his Life Insurance Policy her late husband signed an application form provided to him by the 2nd Defendant on the 13th of April, 1999 to increase his policy from C.I.\$50,000.00 to C.I.\$150,000.00.
- (4) The Plaintiff will say that her late husband David Powell agreed to increase the value of his policy to C.I.\$150,000.00 and acting on the instructions of the 2nd Defendant he attended at the offices of Doctor Steve Tomlinson his medical doctor who carried out a physical examination on behalf of the 1st and 2nd Defendants. The Plaintiff will also say that Dr. Tomlinson completed a medical questionnaire on the 15th April, 2001 which was later handed to the 2nd Defendant.
- (5) The Plaintiff will say that pursuant to the abovementioned the 1st Defendant accepted her late husband's application and a new policy No. 00410465 was issued on the 26th day of April, 1999 on the life of David G. Powell deceased with a face value of C.I.\$150,000.00.
- (6) The Plaintiff will say that on the 14th of July, 2001 one year and three months later her late husband died and the first Defendant has consistently refused to pay out to the Plaintiff the face value of the Insurance Policy the premiums were fully paid up at the time of her late husband's death.

AND THE PLAINTIFF CLAIMS:

- (a) Specific Performance
- (b) Damages
- (c) Pre & Post judgment interest
- (d) Costs

Dated this ^{to} 2nd day of January 2003


KEITH COLLINS & COMPANY
Attorneys-at-Law for the Plaintiff

To: The Clerk of Clerk

And To: The Global Life Assurance Co. Ltd
Box 1087 G.T.
Global Life Building
North Church Street
George Town, Grand Cayman.

And To: Raja Kapoor
C/O Global Life Assurance Co. Ltd.
P.O. Box 1087G.T.
Global Life Building
North Church Street
George Town, Grand Cayman.

This Writ is filed by Keith Collins & Company, Attorneys-at-law, Attorneys-at-law for the Plaintiff herein whose address for service is that of her said Attorneys-at-law of Unit 207, Elizabethan Square, George Town, Grand Cayman.