

IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO. 62 OF 2003

IN THE MATTER of a Declaration of Trust known as Eaglet Trust dated 14 February 1992 ("the Eaglet Trust")

AND IN THE MATTER of Section 48 of the Trusts Law (2001 Revision)

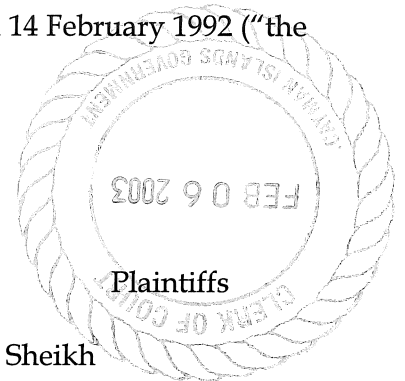
BETWEEN: (1) PICTET BANK & TRUST (CAYMAN) LIMITED

(2) PICTET TRUSTEE COMPANY S.A.

AND: (1) CLIFFORD CULMER as Trustee of the Property of Sheikh Fahad Mohammed Al-Sabah, a bankrupt

(2) MISHAL ROGER AL-SABAH

Defendants



ORIGINATING SUMMONS

- To:
- (1) CLIFFORD CULMER as Trustee of the Property of Sheikh Fahad Mohammed Al-Sabah, a bankrupt, whose address for service is c/o Charles Adams, Ritchie & Duckworth Attorneys-at-Law, Zephyr House, Mary Street, P.O. Box 709 GT, George Town, Grand Cayman
 - (2) MISHAL ROGER AL-SABAH whose address for service is c/o Walkers, Attorneys-at-Law, Walker House P.O. Box 265 GT, George Town, Grand Cayman

LET THE DEFENDANTS, within 14 days after service of this Summons on them respectively, counting the day of service, return the accompanying Acknowledgment of Service to the Courts Office, P.O. Box 495G, George Town, Grand Cayman

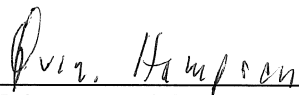
By this Summons, which is issued on the application of the Plaintiffs, Pictet Bank & Trust (Cayman) Limited c/o Maples and Calder, Attorneys-at-Law, Uglan House, P.O. Box 309 GT, George Town, Grand Cayman and Pictet Trustee Company S.A. of Boulevard Georges - Favon 29, 1204 Geneva, Switzerland, the Plaintiffs claim against the Defendants the following relief, namely:

1. Directions whether the Plaintiffs, as trustees of the Eaglet Trust, should or should not defend proceedings commenced by, inter alia, the First Defendant, the short title and reference to the record whereof is "Cause No. 271 of 1995. Grupo Torras S.A. & Anor. v. the Bank of Butterfield International (Cayman) Ltd. & Ors." and that all necessary and consequential directions may be given.

2. An Order that the Second Defendant be appointed to represent, for the purposes of this application, all persons who are or may become beneficially interested in the assets from time to time forming part of the Eaglet Trust.
3. An Order that the Plaintiffs' costs of and incidental to this application be paid out of the assets of the Eaglet Trust in due course of administration.

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 6th day of February, 2003



QUIN & HAMPSON
Attorneys-at-Law for the Plaintiffs

Note: 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 that date unless renewed by order of the Court.

IMPORTANT

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

This Originating Summons was issued by Quin & Hampson, Attorneys-at-Law for and on behalf of the Plaintiffs whose address for service is Harbour Centre, Third Floor, P.O. Box 1348 GT, George Town, Grand Cayman

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS

1. The accompanying form of *Acknowledgment of Service* should be 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

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 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, a Summons served on the Defendant personally is treated as having been served on the day it was delivered to him.
4. 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 Originating Summons*)".
5. 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.
6. 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.
7. 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 his behalf.
8. Where the Defendant is a **MINOR** or a **MENTAL PATIENT**, the form must be completed by an Attorney acting for a guardian *ad litem*.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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AND IN THE MATTER of Section 48 of the Trusts Law (2001 Revision)

BETWEEN: (1) PICTET BANK & TRUST (CAYMAN) LIMITED
(2) PICTET TRUSTEE COMPANY S.A. Plaintiffs

AND: (1) CLIFFORD CULMER as Trustee of the Property of Sheikh Fahad Mohammed Al-Sabah, a bankrupt
(2) MISHAL ROGER AL-SABAH 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 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

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.

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

Quin & Hampson
Attorneys-at-Law
Harbour Centre, Third Floor
P.O. Box 1348
George Town
Grand Cayman
(Kenneth Farrow)

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

[Empty box for defendant's attorney indorsement]