

IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO. 263 OF 2003

In the matter of
THE REGISTERED LAND LAW

-and-

In the matter of
AN APPLICATION BY BANK OF BUTTERFIELD
INTERNATIONAL (CAYMAN) LTD. ("the Bank") as Chargee of
property described in the Cayman Islands Land Registry as
George Town Central Block 14BG, Parcel 64 and Prospect Block
22D, Parcel 203 ("the Properties"), for an Order directing the sale
by private treaty of the said Property.

BETWEEN: BANK OF BUTTERFIELD INTERNATIONAL
(CAYMAN) LTD.

Applicant

AND: CHARLES RUSSELL

Respondent

ORIGINATING SUMMONS

To: CHARLES RUSSELL
c/o Victoria Avenue
Prospect
Grand Cayman

LET THE DEFENDANT, within 14 days after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts Office, PO Box 495, George Town, Grand Cayman.

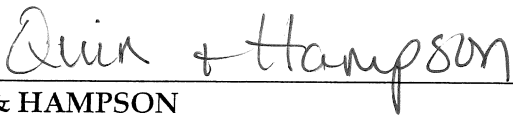
By this Summons, which is issued on the application of Bank of Butterfield International (Cayman) Ltd., PO Box 705, George Town, Grand Cayman, the Applicant claims against the Respondent:

1. That this Honourable Court does sanction the variations and/or additions permitting the Applicant to rely upon the powers including the power to sell by public auction or private treaty contained in a first Charge dated 6th March 1992 and made between the said Charles Russell as Chargor and the Applicant as Chargee, which said first Charge is registered against the title to the Property.

2. That the Applicant be given vacant possession of the said Property.
3. That this Honourable Court shall give directions with regard to the sale of the said Property.
4. That this Honourable Court will make such further and other directions as it deems fit and appropriate.
5. That the Applicant be awarded the costs of this application out of the proceeds of the sale of the Property.

If the Respondent does not acknowledge service, such judgment may be given or order made against or in relation to it as the Court may think just and expedient.

DATED this 10 day of April 2003.



QUIN & HAMPSON
Attorneys-at-Law for the Applicant

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 filed by Messrs. Quin & Hampson, Attorneys-at-Law for the Applicant herein whose address for service and correspondence is that of its said Attorneys-at-Law, 3rd Floor, Harbour Centre, PO Box 1348, George Town, Grand Cayman, Cayman Islands, BWI.

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.

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

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