

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 445 OF 2003 ✓

IN THE MATTER OF SECTION 77 OF THE REGISTERED LAND LAW (1995 REVISION)

AND IN THE MATTER OF AN APPLICATION BY BARCLAYS FINANCE CORPORATION OF THE CAYMAN ISLANDS LIMITED AS CHARGEES OVER CERTAIN CHARGED PROPERTY FOR AN ORDER DIRECTING THAT THE PLAINTIFF BE PERMITTED TO SELL THE PROPERTY CHARGED BY THE DEFENDANT TO THE PLAINTIFF BY WAY OF PRIVATE TREATY

BETWEEN: BARCLAYS FINANCE CORPORATION OF THE CAYMAN ISLANDS LIMITED

PLAINTIFF

AND: (1) FRANK M. MCCOY
(2) LUKE O. MCCOY

DEFENDANTS

ORIGINATING SUMMONS

LET THE DEFENDANTS of P.O. Box 55, North Side, Grand Cayman, Cayman Islands attend before a Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the day of 2003, at o'clock in the noon on the hearing of an application by the Plaintiff of P.O. Box 68GT, George Town, Grand Cayman, Cayman Islands for orders and directions here as follows:-

1. That this Honourable Court sanction the variation and/or addition permitting the Plaintiff to rely upon the terms contained in the charge made by the Defendants in favour of the Plaintiff and registered in the Land Registry on 16 August 1993 as varied by a variation of charge registered in the Land Registry on 27 January 1994 and as further varied by way of a variation of charge registered in the Land Registry on 1 June 1995 ("the Charge") over North Side, Block 49C, Parcel 17 ("the Property") including the power contained in Clause 19(c) being the power to sell by private treaty.
2. That this Honourable Court sanction the variation and/or addition permitting the Plaintiff to foreclose or enter into possession of the charged premises contained in Clause 19(b) of the Charge.

3. That the Plaintiff be awarded the costs of this application from the proceeds of sale of the Property

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

DATED the 1st day of July 2003.

Walkers

WALKERS

Attorneys-at-Law for the Plaintiff

- NOTES:-
- (1) This Summons may not be served later than 4 calendar months beginning with the above date unless renewed by order of the Court.
 - (2) If the defendants do not attend personally or by their attorneys at the time and place above-mentioned such order will be made as the Court may think just and expedient.

IMPORTANT

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

TO: The Clerk of the Court

AND TO: The Defendants
P.O. Box 55
North Side
Grand Cayman

TIME ESTIMATE: The length of the hearing of this Originating Summons is estimated at 20 minutes.

This Originating Summons is filed by Walkers, Attorneys-at-Law, Walker House, Mary Street, P.O. Box 265 GT, George Town, Grand Cayman, for the Plaintiff whose address for service is care of its said Attorneys-at-Law.