

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 579 OF 2003

IN THE MATTER OF THE REGISTERED LAND LAW (1995 REVISION)
AND IN THE MATTER OF GEORGE TOWN CENTRAL, BLOCK 14CF,
PARCEL 29
AND IN THE MATTER OF GEORGE TOWN EAST, BLOCK 20D, PARCEL 154

BETWEEN: CAYMAN NATIONAL BANK LTD PLAINTIFF

AND: KENNETH DOWNEY FIRST DEFENDANT
PATRICIA DOWNEY SECOND DEFENDANT

ORIGINATING SUMMONS

TO: Kenneth Downey and Patricia Downey whose address for service is
PO Box 2246, George Town, Grand Cayman.

LET THE DEFENDANTS, Kenneth Downey and Patricia Downey, within 14 days after service of this Summons on them, counting the day of service, return the accompanying acknowledgement of service to the Court office, P. O. Box 495 GT, George Town, Grand Cayman.

BY THIS SUMMONS which is issued on application of the Plaintiff, Cayman National Bank Ltd., Elgin Avenue, George Town, Grand Cayman, Cayman Islands, British West Indies, the Plaintiff claims against the Defendants relief pursuant to the Registered Land Law (1995 Revision) as follows:-

1. The variations in the charges to the provisions of the Registered Land Law (1995 Revision) be allowed.
2. The Plaintiff be entitled to sell the property by either private treaty or public auction in good faith and having regard to the interests of the Defendants.
3. For the purposes of any such sale, the Plaintiff be entitled to vacant possession of the property.

4. After the sale of the said property, should there be any shortfall in the amount due and owing to the Plaintiff that the Plaintiff be at liberty to enter judgment against the Defendants for the shortfall, together with interest and costs.

Dated the 26th day of August 2003.



RITCH & CONOLLY
Attorneys for the Plaintiff

If the Defendants do not acknowledge service, judgement may be given, or made against, or in relation to them, as the Court may think just and expedient.

NOTE: This Summons may not be served later than 4 calendar months (*or if leave is required to effect Notice out of the jurisdiction, 6 months*) beginning with that date, unless renewed by Order of the Court.

IMPORTANT: Directions for acknowledgement of service are given with the accompanying forms.

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ACKNOWLEDGEMENT 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. Delay may result in Judgement being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

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

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

Yes

No

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgement entered by the Plaintiff (tick box)

Yes

Service of the Writ is acknowledged accordingly

(Signed)

[Attorney] for

[Defendant in person]

Address for service:

Please complete overleaf

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.

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

Messrs Ritch & Conolly
PO Box 1994 GT
Grand Cayman

Ref: RJH/9155

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