

IN THE GRAND COURT OF THE CAYMAN ISLANDS

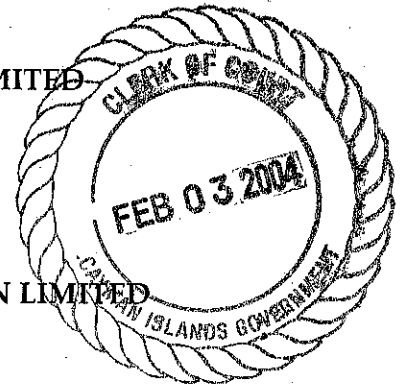
CAUSE NO. 72 OF 2004

IN THE MATTER of a Declaration of Trust known as Blatant Trust dated 7 February 1991 ("the Blatant Trust")

AND IN THE MATTER of a Declaration of Trust known as River Trust dated 16 June 1994 ("the River Trust")

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

- BETWEEN:
- (1) PICTET BANK AND TRUST (CAYMAN) LIMITED
  - (2) PICTET TRUSTEE COMPANY SA
  - (3) ZADAR LIMITED
  - (4) PICTET OVERSEAS TRUST CORPORATION LIMITED
  - (5) RENO INVESTMENTS LIMITED



Plaintiffs

- AND:
- (1) G. 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) G. 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 fourteen (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 495 GT, George Town, Grand Cayman

By this Summons, which is issued on the application of the Plaintiffs, Pictet Bank and Trust (Cayman) Limited c/o Maples and Calder, P.O. Box 309 GT, Grand Cayman, Cayman Islands, Pictet Trustee Company SA of Boulevard Georges-Favon 29, 1204 Geneva, Switzerland, Zadar Limited c/o Higgs & Johnson, P.O. Box N3247, Sandringham House, 83 Shirley Street, Nassau, Bahamas, Pictet Overseas Trust Corporation Limited of West Bay Street and Blake Road, P.O. Box N4837, Nassau, Bahamas and Reno Investments Limited c/o Pictet Bank & Trust Ltd., P.O. Box N4837, West Bay Street and Blake Road, Nassau, Bahamas, the Plaintiffs claim against the Defendants the following relief, namely:

1. Directions whether the Plaintiffs, as trustees of the Blatant Trust and the River Trust, should or should not defend proceedings commenced by the First Defendant, the short title and reference to the record whereof is "Cause No. 451 of 2003. G. Clifford Culmer v. Pictet Bank and Trust (Cayman) Limited and 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 Blatant Trust and the River Trust.
3. An order that the Plaintiffs' costs of and incidental to this application be paid out of the assets of the Blatant Trust and the River Trust in such proportions as the Court thinks fit in due course of administration.
4. Further or other relief.

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 3rd day of February, 2004



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**QUIN & HAMPSON**  
**Attorneys-at-Law for the Plaintiffs**

**Note:** This Summons may not be served later than four (4) calendar months (or, if leave is required to effect service out of the jurisdiction, six (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.

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

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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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.

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

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

yes  no

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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.*