

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 169 OF 2004

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 properties described in the Cayman Islands Land Registry as **Savannah Block 28B, Parcel 240H13** and **George Town Central Block 14BH, Parcel 12** ("the Properties"), for an Order directing the sale by private treaty of the said Properties.

BETWEEN: **BANK OF BUTTERFIELD INTERNATIONAL (CAYMAN) LTD.** Applicant

AND: (1) **JOHN B. McLEAN**
(2) **DENISE EDEN** Respondents

ORIGINATING SUMMONS

To: Mr John McLean and
Ms. Denise Eden
PO Box 194, Savannah
Grand Cayman

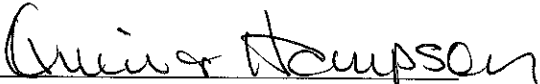
LET THE RESPONDENTS of 476 Sunnyfield Road, Queen's Highway, East End, Grand Cayman, Cayman Islands within fourteen (14) days after service of this Summons upon them, counting the day of service, return the accompanying Acknowledgement of Service to the Courts Office, P.O. Box 495 GT, George Town, Grand Cayman.

By this Summons, which is issued on the application of Bank of Butterfield International (Cayman) Ltd., P.O. Box 705, George Town, Grand Cayman, the Applicant seeks the following Orders:

1. That the Applicant, in the exercise of its powers under the Charges in respect of properties described in the Cayman Islands Land Register as Registration Section Savannah, Block 28B, Parcel 240H13 and George Town Central, Block 14BH, Parcel 12 both registered on 19 October 1999 is entitled to exercise the powers of sale under the Charges and is at liberty to sell the charged properties by public auction or by private treaty.
2. That this Honourable Court sanctions the variations of the provisions of the Registered Land Law in so far as they apply to the Charges in order to permit the Applicant to sell the properties by private treaty.
3. That this Honourable Court gives such directions as to the reserve price or on other conditions of the sale as to this Honourable Court appear appropriate.
4. Costs of this application be to the Applicant to be taxed if not agreed and to be paid out of the proceeds of the sale of the charged properties.
5. There be liberty to apply.

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

Dated the 30 day of March, 2004


QUIN & HAMPSON
Attorneys-at-Law for the Applicant

NOTES

- (1) 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 the above date unless renewed by order of the Court.
- (2) If a Respondent does not attend personally or by his attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient.

IMPORTANT

Directions for Acknowledgement 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, P.O. Box 1348, George Town, Grand Cayman, Cayman Islands, B.W.I.

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 Respondent 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.

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AND: (1) **JOHN B. McLEAN**
(2) **DENISE EDEN** Respondents

**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 Respondent by whom or on whose behalf the service of the Originating Summons is being acknowledged.

2. State whether the Respondent intends to contest the proceedings (*tick appropriate box*)
yes no

Service of the Originating Summons is acknowledged accordingly

(Signed)

[Attorney] for

[Respondent in person]

Address for service:

Notes on address for service:

Attorneys: where the Respondent is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Respondent may not act by a foreign attorney.

Respondent in person: where the Respondent 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 principal 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.

Messrs. Quin & Hampson Attorneys-at-Law 3rd Floor, Harbour Centre, P.O. Box 1348 George Town, GRAND CAYMAN

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

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