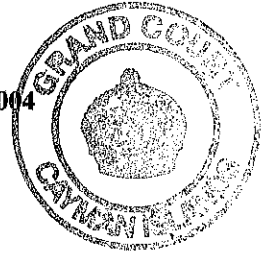


NO 3.

Originating Summons – expedited form (0.7r2)

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 197 OF 2004



**IN THE MATTER OF THE GUARDIANSHIP AND CUSTODY OF CHILDREN
LAW 91996 REVISION) (SECTION 7)**

AND

**IN THE MATTER OF AN APPLICATION BY RODOLFO ESTEVAN MARTINEZ, III. THE
FATHER OF GILDA MARTINEZ, MONICA MARTINEZ AND KIEANNA MARTINEZ, minors**

BETWEEN: RODOLFO ESTEVAN MARTINEZ, III. PLAINTIFF

AND: GINA EMELIA MARTINEZ RESPONDENT

ORIGINATING SUMMONS

**LET THE RESPONDENT, GINA EMELIA MARTINEZ OF C/O TORTUGA RUM CO.
NORTH SOUND ROAD, GEORGE TOWN, GRAND CAYMAN ATTEND BEFORE THE JUDGE
IN CHAMBERS, AT THE LAW COURTS, GEORGE TOWN, GRAND CAYMAN ON THE
11th DAY OF June 2004 AT 9:30 O'CLOCK IN THE AFTER/FORE NOON
ON THE HEARING OF AN APPLICATION BY THE PLAINTIFF, RODOLFO ESTEVAN
MARTINEZ, III. OF MAHOGANY ESTATES BERRY ROAD, OFF BEACH BAY ROAD, GRAND
CAYMAN THAT:**

- (A) THAT HE BE GRANTED FULL CUSTODY OF THE SAID MINOR CHILDREN, GILDA MARTINEZ, MONICA MARTINEZ AND KIEANNA MARTINEZ.**
- (B) THAT THE RESPONDENT BE RESTRAINED FROM REMOVING THE SAID CHILDREN GILDA MARTINEZ, MONICA MARTINEZ AND KIEANNA MARTINEZ FROM THE JURISDICTION OF THE CAYMAN ISLANDS WITHOUT THE PERMISSION OF THE COURT OF THE CAYMAN ISLANDS.**
- (C) THAT THE RESPONDENT HAS DESERTED THE SAID CHILDREN GILDA MARTINEZ, MONICA MARTINEZ AND KIEANNA MARTINEZ.**
- (D) THAT THE RESPONDENT POSES A DANGER TO THE SAID MINOR CHILDREN AND THE APPLICANT.**
- (E) SUCH FURTHER OR OTHER RELIEF AS THIS HONORABLE COURT DEEMS NECESSARY.**
- (F) LIBERTY TO APPLY.**

**AND LET THE RESPONDENT WITHIN 14 DAYS OF THE SERVICE OF THIS SUMMONS ON
HER COUNTING THE DAY OF SERVICE, RETURN THE ACCOMPANYING
ACKNOWLEDGEMENT OF SERVICE TO THE COURTS OFFICE.**

DATED THE DAY OF 2004.

**RODOLFO ESTEVAN MARTINEZ, III, PLAINTIFF
MAHOGANY ESTATES BERRY DRIVE
OFF BEACH BAY ROAD OR
P.O. BOX 374S GRAND CAYMAN**

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 WITHIN THE ABOVE DATE UNLESS RENEWED BY ORDER OF THE COURT.
- (2) IF THE RESPONDENT DOES NOT ATTEND PERSONALLY OR BY HER 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.

**TO: MRS. GINA EMELIA MARTINEZ
C/O TORTUGA RUM COMPANY
NORTH SOUND ROAD
GEORGE TOWN, GRAND CAYMAN**

THIS ORIGINATING SUMMONS WAS FILED BY RODOLFO ESTEVAN MARTINEZ, III THE PLAINTIFF HEREIN, WHOSE ADDRESS FOR SERVICE OF PROCESS IS MAHOGANY ESTATES, BERRY DRIVE OFF BEACH BAY ROAD OR P.O.BOX 374S GRAND CAYMAN

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 197 OF 2004

IN THE MATTER OF THE GUARDIANSHIP AND CUSTODY OF CHILDREN LAW
(1996 REVISION) (SECTION 7)

AND

IN THE MATTER OF AN APPLICATION BY RODOLFO ESTEVAN MARTINEZ, III. THE
FATHER OF GILDA MARTINEZ, MONICA MARTINEZ AND KIEANNA MARTINEZ,
MINORS

BETWEEN: RODOLFO ESTEVAN MARTINEZ, III. PLAINTIFF

AND: GINA EMELIA MARTINEZ RESPONDENT

ACKNOWLEDGEMENT OF SERVICE
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 Respondent
whereby he or she may have to
pay the costs of applying to
Set it aside.

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

If the claim against the Respondent 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 (please tick box)

_____ YES _____ NO

Service of Originating Summons is acknowledged accordingly.

SIGNED _____

Please complete overleaf

(Attorney) for

(Defendant in Person)

Address for service:

Notes on address for service.

Attorney: 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 is Person: where the Respondent is acting in person, he must give his post office box 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 the Plaintiff (or by the plaintiff if suing in person) of his name, address and residence, if any in the box below:

Endorsement by the Respondent's attorney (or by the Respondent if suing in person) of his name, address and residence, if any in the box below: