

No. 4

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 233 of 2004

IN THE MATTER OF THE EVIDENCE (PROCEEDINGS IN OTHER JURISDICTION) ORDER, (ORDER 70)

AND

IN THE MATTER OF AN APPLICATION FOR COPIES OF DOCUMENTARY EVIDENCE

AND

IN THE MATTER OF NEEDLEMAN VS NEEDLEMAN (Index No. 26120 -00) (Hon. William J Kent)

AND

IN THE MATTER OF LETTERS ROGATORY ISSUED ON FEBRUARY, 2004 RELATING TO BANCO BILBAO VIZCAYA of Grand Cayman, Cayman Islands

EX-PARTE ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before a Judge of the Grand Court at the Law Courts in George Town, Grand Cayman in Chambers on the ^{19th} day of ^{May} 2004 at 9:30 o'clock in the fore/ afternoon on the Hearing of an application on behalf of the Applicant for the following Orders :

- (a) That the Banco Bilbao Vizcaya located at P O Box 1115, Elizabethan Square, George Town, Grand Cayman do make available to Ms Sheridan Brooks-Hurst of Brooks & Brooks, Attorneys At Law " any and all records, documents, statements, cancelled checks, stubs or the like, relating to any account in the name of Michael Needleman (Social Security No. 267 - 33-7193) (date of birth: February 25th 1958) including but not limited to Account No. C5249-8317" as stipulated in the Letters Rogatory issued by the Supreme Court of New York, County of Suffolk on the 3rd day of March, 2004.
- (b) That the costs of this application be provided for.
- (c) Such further and other Order as this Honourable Court shall deem appropriate.

Dated this 4th day of ^{May} April, 2004

Brooks & Brooks
BROOKS & BROOKS
Attorneys At Law for the Applicant herein

ESTIMATED TIME: The estimated time for the Hearing of this application is 1 hour

To: The Clerk of the Courts

THIS EX-PARTE SUMMONS WAS FILED by Brooks & Brooks, Attorneys At Law for the Applicant herein whose address for service of process is One, Artillery Court, P O Box 1355 GT, George Town, GRAND CAYMAN