

IN THE GRAND COURT OF THE CAYMAN ISLANDS

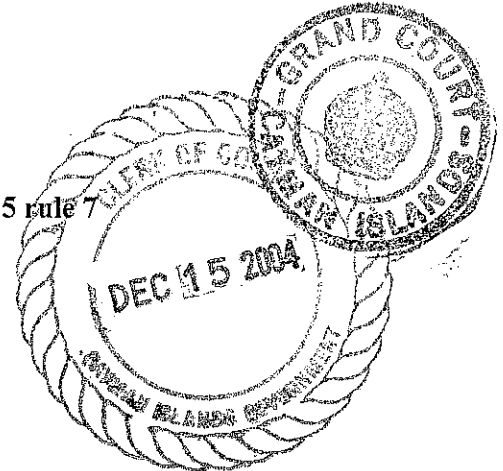
Fees Paid.	\$ 150 -
Receipt No.	350522
Date	15/12/04

CAUSE NO. 487 OF 2004

IN THE MATTER OF a trust

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

AND IN THE MATTER of the Grand Court Rules Order 85 rule 7



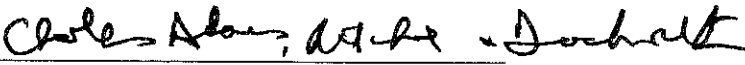
ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before a Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the ^{29th} day of February 2005 at 9.30 o'clock in the fore/afternoon on the hearing of an application by CIBC Bank and Trust Company (Cayman) Ltd., the current Trustee of the trust identified in the First Affidavit of Frank Hynd and referred to hereinafter as the XYZ Trust for the following relief:

1. For the opinion advice or direction of this Honourable Court as to what steps, if any, it should take in light of the allegations made by the Indian authorities and the decisions of the Indian Courts and in light of its own inquiries, and in particular for directions as to whether:
 - 1.1 the Trustee should take any further steps to determine if the Government of India has rights in or to the Trust property and if so what steps it should take;
 - 1.2 the Trustee should now resume distributions to the Primary Beneficiaries of the XYZ Trust.
2. For directions as to whether notice of this application should be given to any one of the beneficiaries and if so, to whom.
3. That the Applicant be indemnified out of the Trust funds in respect of all costs incurred by and incidental to this application.
4. That the Applicant be indemnified out of the Trust funds in respect of all costs of and incidental to instructing its Attorneys-at-Law, Charles Adams, Ritchie & Duckworth ("CARD") to advise in relation to this application and in relation to work done or time spent by CARD in relation to the application or in their conduct and investigation of this matter generally on behalf of the Trustee.

5. That this Honourable Court give such further or other directions as it thinks fit.
6. That there be liberty to apply.

DATED this 15th day of December, 2004.


CHARLES ADAMS, RITCHIE & DUCKWORTH
ATTORNEYS-AT-LAW FOR THE APPLICANT

TIME ESTIMATE: The estimated length of the hearing of this summons is 2 days.

NOTE: 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 that date 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 Messrs. Charles Adams, Ritchie & Duckworth of P.O. Box 709, George Town, Grand Cayman, Attorneys-at-Law for the Applicant herein.

**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 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 writ 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 its 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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**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 direction 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 Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

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

Yes

No

Service of the Originating Summons is acknowledged accordingly

(Signed)

[Attorney] for

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 the Plaintiffs attorney (or by Plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Charles Adams, Ritchie & Duckworth
PO Box 709
George Town
Grand Cayman

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