

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. *26* OF 2005

In the Matter of the Registered Land Law (1995 Revision)

BETWEEN: SCOTIABANK & TRUST (CAYMAN) LTD.

PLAINTIFF

AND:

HENDERSON HOLDINGS LTD.

DEFENDANT



ORIGINATING SUMMONS

LET THE DEFENDANTS attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the *4th* day of *April* 2005 at *9:30* am/pm on the hearing of an application by the Plaintiff for the following orders:

1. THAT this Honourable Court do sanction and permit the sale by private treaty of all that land and property registered in the Cayman Islands Land Register and known particularly as:
 - (a) GEORGE TOWN EAST BLOCK 20B PARCEL 317;
 - (b) GEORGE TOWN CENTRAL BLOCK 13D PARCEL 43H5;
 - (c) GEORGE TOWN CENTRAL BLOCK 13D PARCEL 43H6;
 - (d) SOUTH SOUND BLOCK 21C PARCEL 95H4;
 - (e) SOUTH SOUND BLOCK 21C PARCEL 95H5;
 - (f) SOUTH SOUND BLOCK 21C PARCEL 95H6;
 - (g) SOUTH SOUND BLOCK 21C PARCEL 95H7; and
 - (h) SOUTH SOUND BLOCK 21C PARCEL 95H8

Items (a) through (h) collectively the Property.

2. THAT the Defendant and, upon service of this Order upon such person, any other person(s) occupying the Property do, within 28 days of service of this Order, vacate the Property and take all appropriate steps to give the Plaintiff vacant possession of the Property.
3. THAT this Honourable Court do give directions with regard to the price for the sale of the Property.
4. Such further or other relief as this Honourable Court may deem appropriate.

LET THE DEFENDANT within 14 days of this Summons on each of them, counting the day of service, return the accompanying Acknowledgement of Service to the Courts Office, P.O. Box 495G, George Town, Grand Cayman, Cayman Islands.

Dated the 26th day of January, 2005


CHARLES ADAMS RITCHIE & DUCKWORTH
Attorneys-at-Law for the Plaintiff

NOTES:

- (1) This Summons may not be served later than 4 calendar months, beginning with the above date unless renewed by order of the Court.
- (2) If a Defendant 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 Acknowledgment of Service are given with the accompanying form.

Time Estimated: 30 minutes

TO: The Clerk of the Court

AND TO: HENDERSON HOLDINGS LTD.

This Originating Summons was filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein, whose address for service is P.O. Box 709, Zephyr House, George Town, Grand Cayman, Cayman Islands, B.W.I.

No. 9

Acknowledgement of service of originating summons (O.10,r.5)

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF ORIGINATING SUMMONS**

The accompanying form of *Acknowledgement 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 485G, 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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 26 OF 2005

In the Matter of the Registered Land Law (1995 Revision)

BETWEEN: SCOTIABANK & TRUST (CAYMAN) LTD. PLAINTIFF

AND: HENDERSON HOLDINGS LTD. DEFENDANT

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 Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.
2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

yes no

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.

Please complete overleaf

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

Charles Adams, Ritchie & Duckworth
Attorneys-at-Law
P.O. Box 709 GT
Grand Cayman

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

[Empty box for Defendant's Attorney indorsement]