

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 97 OF 2005

IN THE MATTER of the Trusts of the Comfort Trust established pursuant to a Trust Settlement dated 29 September 1992 and made between Fahad Mohammed Al-Sabah as settlor and the Bank of New Providence Trust Company Limited as trustee and restated by a Second Amendment and Complete Restatement of Trust Settlement dated 12th February 1993 made by the Bank of Butterfield International (Cayman) Ltd as Trustee

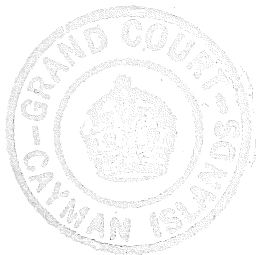
AND IN THE MATTER of Section 48 of the Trusts Law (2001 Revision) and Order 85 of the Grand Court Rules

BETWEEN:

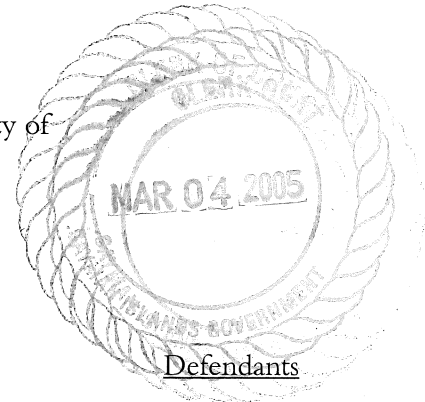
BUTTERFIELD BANK (CAYMAN) LIMITED

Plaintiff

- AND -



- (1) CLIFFORD CULMER as Trustee of the Property of Sheikh Fahad Mohammed Al-Sabah, a bankrupt
- (2) MISHAL ROGER AL-SABAH
- (3) BARBARA AL-SABAH



Defendants

ORIGINATING SUMMONS

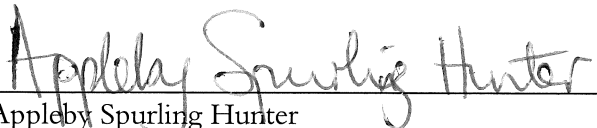
LET ALL THE PARTIES CONCERNED attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman at 9:30 a.m. on the 8th day of March 2005 on the hearing of an application pursuant to Section 48 of the Trusts Law (2001 Revision) and Grand Court Rule 85 and/or under the inherent jurisdiction of the Court by the Plaintiff as Trustee of a trust known as the Comfort Trust established pursuant to a Trust Settlement dated 29th September 1992 and made between Fahad Mohammed Al-Sabah as settlor and the Bank of New Providence Trust Company Limited as trustee and restated by a Second Amendment and Complete

Restatement of Trust Settlement made by the Plaintiff (as trustee) and dated 12th February 1993 (“the Settlement”) a true copy of which are exhibited to the affidavit of John Herod intended to be sworn herein and by which the Plaintiff seeks in the events which have happened the following orders and directions of this Honourable Court:

1. That the Plaintiff be authorised to enter into and carry into effect an agreement between the Plaintiff, the First, Second and Third Defendants and Grupo Torras S.A. substantially in the terms of the draft agreement exhibited to the affidavit of John Herod intended to be sworn herein.
2. That the Third Defendant, Barbara Al-Sabah, be appointed for the purposes of this application to represent all persons who are or who may become beneficially interested in any of the property subject to the trusts of the Settlement whether or not such persons are presently in existence or ascertained, other than the First Defendant, Clifford Culmer and the Second Defendant, Mishal Al-Sabah.
3. That all further and necessary directions may be given.
4. That provision be made for the costs of this application and of carrying into effect the terms of the said agreement.
5. Further or other relief.

AND LET THE DEFENDANTS within 14 days after service of this summons on them counting the day of service, return the accompanying Acknowledgements of Service to the Courts office.

DATED this 4th day of March, 2005



Appleby Spurling Hunter

- NOTE – (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 that date unless received 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 thinks just and expedient.

IMPORTANT

Directions for Acknowledgement of Service are given with the accompanying form.

This Originating Summons was issued by Appleby Spurling Hunter, Attorneys-at-law for the Plaintiff whose address for service is Clifton House, 75 Fort Street, P.O. Box 190 GT, Grand Cayman (ref: CDP/00138.008)