

IN THE GRAND COURT OF THE CAYMAN ISLANDS

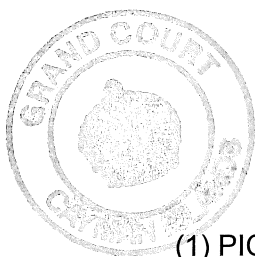
CAUSE NO. 98 OF 2005

IN THE MATTER of a trust known as the Blatant Trust Declared on the 7th day of February 1991

AND IN THE MATTER of a trust known as the Eaglet Trust Declared on the 14th day of February 1992

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

BETWEEN:



MISHAL ROGER AL-SABAH



Plaintiff

- AND -

(1) PICTET BANK & TRUST (CAYMAN) LIMITED

(2) PICTET TRUSTEE COMPANY S.A.

(3) CLIFFORD CULMER as Trustee of the Property of
Sheikh Fahad Mohammed Al-Sabah, a bankrupt

(4) 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 8 day of March 2005 on the hearing of an application pursuant to Grand Court Rule 85 and/or under the inherent jurisdiction of the Court by the Plaintiff, Mishal Roger Al-Sabah (who is a beneficiary under the trust known as the Blatant Trust which was established pursuant to a Declaration of Trust made by the First and Second Defendants (as trustees) and dated the 7th February 1991 and a beneficiary under the trust known as the Eaglet Trust which was established pursuant to a Declaration of Trust made by the First and Second Defendants (as trustees) and dated the 14th February 1992 ("the Settlements"), true copies of which Declarations are

exhibited to the affidavit of the Plaintiff 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 First and Second Defendants be authorised to enter into and carry into effect an agreement between the Plaintiff, the First, Second, Third and Fourth Defendants and Grupo Torras SA substantially in the terms of the draft agreement exhibited to the affidavit of the Plaintiff intended to be sworn herein.
2. That the Fourth 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 the property subject to the trusts of the Settlements (including all persons included or capable of being included within the definitions of "beneficiaries" and "Beneficiaries", respectively, under the Settlements) whether or not such persons are presently in existence or ascertained, other than the Third Defendant, Clifford Culmer.
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



Walkers

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 Walkers, Attorneys-At-Law for the Plaintiff, whose address for service is that of its said Attorneys-At-Law, Walker House, PO Box 265GT, Mary Street, George Town, Grand Cayman, Cayman Islands.