

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 267 OF 2005

IN THE MATTER OF THE EVIDENCE (PROCEEDINGS IN OTHER JURISDICTIONS)  
(CAYMAN ISLANDS) ORDER 1978

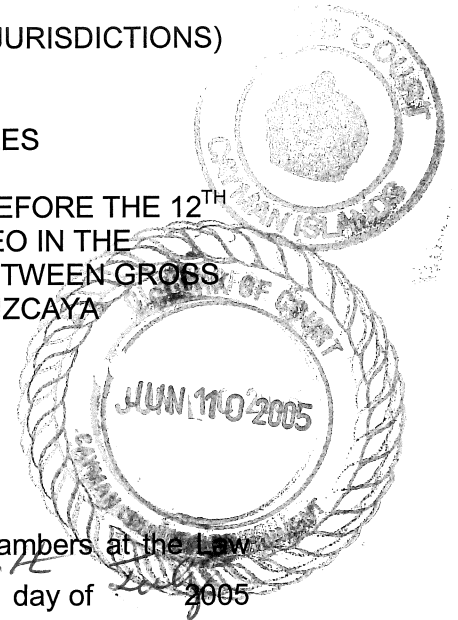
AND IN THE MATTER OF ORDER 70 OF THE GRAND COURT RULES

AND IN THE MATTER OF A CIVIL MATTER NOW PROCEEDING BEFORE THE 12<sup>TH</sup>  
CIVIL COURT OF FIRST INSTANCE OF THE CITY OF MONTEVIDEO IN THE  
ORIENTAL REPUBLIC OF URUGUAY ENTITLED AS FOLLOWS BETWEEN GROSS  
BROGGI, FRANCISCO ET AL (PLAINTIFF) AND BANCO BILBAO VIZCAYA  
ARGENTARIA URUGUAY S.A. (DEFENDANT)

**EX PARTE ORIGINATING SUMMONS**

**LET ALL PARTIES CONCERNED**, attend before the Judge in Chambers at the Law  
Courts, George Town, Grand Cayman, Cayman Islands on the 19<sup>th</sup> day of June 2005  
at o'clock, on the hearing of an application for an Order that:

1. An authorised representative of BBVA America Fund Mangers Limited do attend before Angus Foster of Walkers, Walker House, 87 Mary Street, George Town, Grand Cayman, who is hereby appointed Examiner herein at Walker House, 87 Mary Street, George Town, Grand Cayman on the 12th day of July 2005 at 10am or such other day and time as the said Examiner may appoint, and do thereby submit to be examined upon oath giving the testimony required in the Requests issued by the 12<sup>th</sup> Civil Court of First Instance of the City of Montevideo, the Oriental Republic of Uruguay on 26 May 2004 and 14 April 2005 and do then and there produce the originals of the documents photocopies of which were exhibited to the said Request made on 14 April 2005;
2. An authorised representative of Cayman National Trust Co. Ltd do attend before Angus Foster of Walkers, Walker House, 87 Mary Street, George Town, Grand Cayman, who is hereby appointed Examiner herein at Walker House, 87 Mary Street, George Town, Grand Cayman on the 12th day of July 2005 at 10am or such other day and time as the said Examiner may appoint, and do thereby submit to be examined upon oath giving the testimony required in the Request issued by the 12<sup>th</sup> Civil Court of First Instance of the City of Montevideo, the



Oriental Republic of Uruguay on 14 April 2005 and do then and there produce the originals of the documents photocopies of which were exhibited to the said Request made on 14 April 2005;

3. The said Examiner do take down or cause to be taken down in writing the evidence of the said witnesses according to the rules and practice of the Grand Court attaining to the examination and cross examination of witnesses and due request of the said witness to sign his deposition in the said Examiner's presence and to sign the depositions taken in pursuant of this Order and when so completed to send them, together with a copy of this Order and the Request to the Chief Clerk, Grand Court, George Town, Grand Cayman for transmission to the Court desiring the evidence of the said witness;
4. There be no Order as to Costs.

DATED the 10th day of June 2005.



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**WALKERS**

Attorneys-at-Law for the Plaintiff

TIME ESTIMATE: Length of Hearing of this Summons is 30 minutes

This Originating Summons is filed by Walkers, Attorneys-at-Law, Walker House, Mary Street, P.O. Box 265 GT, George Town, Grand Cayman, for the Plaintiff whose address for service is care of its said Attorneys-at-Law.