

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 314

OF 2005

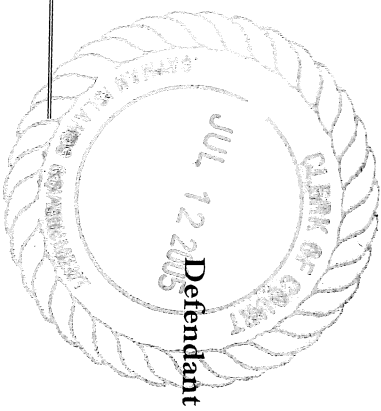


B E T W E E N:

- (1) RED SEA TRADING LTD (IN LIQUIDATION)
 - (2) ZEPHYR FINANCIAL SERVICES LTD (IN LIQUIDATION)
 - (3) INGELTON INTERNATIONAL LTD (IN LIQUIDATION)
- Plaintiffs

AND

LEWIS D. ROWE



WRIT OF SUMMONS

TO: LEWIS D. ROWE of PO Box 30248SMB, 86 Magellan Quay, Governors Harbour, West Bay Road, George Town, Grand Cayman, Cayman Islands.

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs, Red Sea Trading Ltd (In Liquidation), Zephyr Financial Services Ltd (In Liquidation) and Ingelton International Ltd (In Liquidation), acting by their Official Liquidator, Richard E.L. Fogerty whose address is c/o Kroll (Cayman) Limited, 4th Floor Bermuda House, Dr Roys Drive, George Town, Grand Cayman in respect of the claim set out on the next page.

Within fourteen (14) days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495GT,

George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this day of July 2005

NOTE - This Writ 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 the date of issue unless renewed by order of the Court.

IMPORTANT

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

GENERAL INDORSEMENT

The Plaintiffs' claim is for restitution of funds paid by the Plaintiffs to the Defendant or for the benefit of the Defendant to G.B.D Investments Inc. (the "Seller"), for the purchase of the Defendant's house situated at 86 Magellan Quay, Governors Harbour, West Bay Road, George Town, Grand Cayman (the "Property") and which funds have not been repaid; alternatively for an order under the Fraudulent Dispositions Law (1996 Revision) that the payments of funds by the Plaintiffs to the Defendant or to the Seller for the benefit of the Defendant on or after 1 August 1999 for the purchase of the Property be set aside as a disposition of assets with intent to defraud creditors and at an under-value; further or alternatively for a declaration that the Plaintiffs are entitled to be subrogated to

the Seller's unpaid vendor's lien over the Property in respect of those funds paid by the Plaintiffs to the Defendant or the Seller for the purchase of the Property.

AND THE PLAINTIFFS claim:

1. restitution of all funds paid by the Plaintiffs to the Defendant or the Seller;
2. further and/or alternatively, equitable compensation;
3. further and/or alternatively, an order under the Fraudulent Dispositions Law (1996 Revision) setting aside the payments made by the Plaintiffs to the Defendant or the Seller after 1 August 1999;
4. further and/or alternatively, a declaration that the Plaintiffs' claim against the Defendant be secured by an unpaid vendor's lien over the Property;
5. further and/or alternatively, such other relief as the Court might deem appropriate;
6. interest, to be assessed, pursuant to section 34 of the Judicature Law (1995 Revision) for such period and at such rate as the Court shall deem just, alternatively pursuant to the equitable jurisdiction of the Court; and
7. costs.

Dated the *12th* day of July 2005



APPLEBY SPURLING HUNTER

THIS WRIT was issued by Appleby Spurling Hunter, Attorneys-at-Law for the Plaintiffs, whose address for service is that of its said Attorneys, namely Clifton House, 75 Fort Street, P.O. Box 190 GT, Grand Cayman, Cayman Islands (Ref.: JST/08227.004)

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF WRIT OF SUMMONS**

1. 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 495 GT, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgement of Service that he intends to contest the proceedings must also serve a Defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words of "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his Defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgement of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgement, but he must, within that time, issue a Summons for a Stay of Execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See over for notes for guidance

Please complete overleaf

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement of Service and return it to the Courts Office.
2. 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.
3. 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 Write of Summons*)".
4. 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.
5. 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.
6. 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.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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- (2) ZEPHYR FINANCIAL SERVICES LTD (IN LIQUIDATION)
- (3) INGELTON INTERNATIONAL LTD (IN LIQUIDATION)

Plaintiffs

AND

LEWIS D. ROWE

Defendant

ACKNOWLEDGMENT OF SERVICE
OF WRIT OF 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.	Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.
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1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged:

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

YES

NO

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box)

YES

Service of the Writ is acknowledged accordingly

Date:

2005

Attorneys for Defendant

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.

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

Appleby Spurling Hunter
Attorneys-at-Law
Clifton House
75 Fort Street
P.O. Box 190 GT
George Town
Grand Cayman
Ref: JST/08227.004

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

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