

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 412 OF 2005

IN THE MATTER OF SECTION 77 OF THE REGISTERED LAND LAW (1995 REVISION)

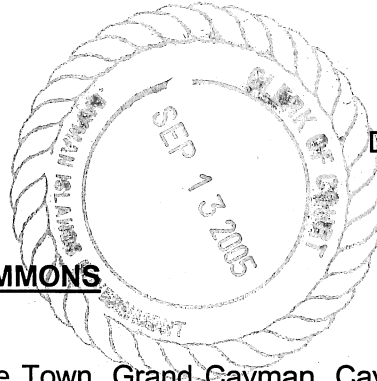
AND IN THE MATTER OF AN APPLICATION BY CIBC CAYMAN LIMITED AS CHARGEES OVER CERTAIN CHARGED PROPERTY FOR ORDERS DIRECTING THAT THE PLAINTIFF BE PERMITTED TO SELL THE PROPERTY CHARGED BY THE DEFENDANT TO THE PLAINTIFF BY WAY OF PRIVATE TREATY

BETWEEN: CIBC CAYMAN LIMITED

PLAINTIFF

AND: RICHARD CHRISTIANSEN

DEFENDANT



**ORIGINATING SUMMONS**

LET THE DEFENDANT of PO Box 1808 GT, George Town, Grand Cayman, Cayman Islands attend before a Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the 7<sup>th</sup> day of Oct 2005, at 9.30 o'clock in the noon on the hearing of an application by the Plaintiff of First Caribbean House, Main Street, P.O. Box 1321GT, George Town, Grand Cayman, Cayman Islands for orders and directions herein as follows:-

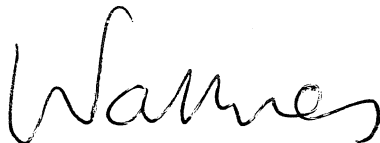
1. That this Honourable Court sanction the variation and/or addition permitting the Plaintiff to rely upon the terms contained in the collateral charges made by the Defendant in favour of the Plaintiff, both dated 20 December 1999 and both registered in the Land Registry on 7 January 2000 ("the First Collateral Charges") over registration section High Rock Block 64A Parcel 127 ("the First Property") including the power contained in clause 12(b) being the power to sell by private treaty.
2. That this Honourable Court sanction the variation and/or addition permitting the Plaintiff to foreclose or to enter in to possession of the First Property contained in clause 12(c) of the First Collateral Charges.
3. That this Honourable Court sanction the variation and/or addition permitting the Plaintiff to rely upon the terms contained in the collateral charges made by the Defendant in favour of the Plaintiff both dated 20 December 1999 and both registered in the Land Registry on 7 January 2000 ("the Second Collateral Charges") over registration section

High Rock Block 64A Parcel 128 ("the Second Property") including the power contained in clause 12(b) being the power to sell by private treaty.

4. That this Honourable Court sanction the variation and/or addition permitting the Plaintiff to foreclose or enter in to possession of the Second Property contained in clause 12(c) of the Second Collateral Charges.
5. That this Honourable Court sanction the variation and/or addition permitting the Plaintiff to rely upon the terms contained in the collateral charges made by the Defendant in favour of the Plaintiff both dated 20 December 1999 and both registered in the Land Registry on 7 January 2000 ("the Third Collateral Charges") over registration section High Rock Block 64A Parcel 130 ("the Third Property") including the power contained in clause 12(b) being the power to sell by private treaty.
6. That this Honourable Court sanction the variation and/or addition permitting the Plaintiff to foreclose or enter in to possession of the Third Property contained in clause 12(c) of the Third Collateral Charges.
7. That the Plaintiff be awarded the costs of this Originating Summons from the proceeds of sale of the First to Third Properties.

AND LET THE DEFENDANT within 14 days after service of this Originating Summons on him counting the day of service, return the accompanying Acknowledgment of Service to the Courts Office, P.O. Box 495GT, George Town, Grand Cayman.

DATED the 13<sup>th</sup> day of September 2005



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**WALKERS**  
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 the defendant does not attend personally or by his attorneys 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.

TO: The Clerk of the Court

AND TO: The Defendant  
P.O. Box 1808 GT  
Grand Cayman

TIME ESTIMATE: The length of the hearing of this Originating Summons is estimated at 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.