

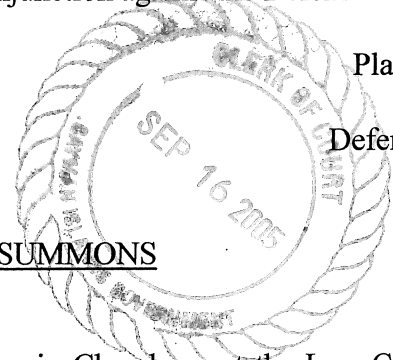
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 421 OF 2005

In the Matter of Order 29, r. 1 of the Grand Court Rules, 1995 (Revision)
And in the Matter of an application by the Plaintiff for an injunction against the Defendant

BETWEEN: MARGETA CLARKE Plaintiff

AND: APPLEBY SPURLING HUNTER Defendant



EX PARTE ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before a Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the _____ day of _____ 2005, at _____ o'clock, on the hearing of an application by the Plaintiff pursuant to GCR O. 29, r. 1 for the following orders or directions:

1. That the Defendant herein namely, Appleby Spurling Hunter, be restrained from continuing to represent Proprietors, Strata Plan No. 155 in Cause No. 227 of 2005 on the grounds of conflict of interest in the sense that the said Defendant has previously represented the Plaintiff in a related matter, being Cause No. 399 of 1994 and are still the attorneys on record.
2. That there be an order as to costs of this application.
3. Such further and other relief as Counsel may request and this Honourable Court deems just.

Dated this 16th day of September, 2005



Margeta Clarke, Plaintiff

To: The Clerk of the Court

TIME ESTIMATE: The estimated length of the hearing of this summons is 15 minutes

THIS SUMMONS was filed by the Plaintiff herein whose address for service is c/o Facey-Clarke & Associates, Ground Floor, Unit 119, Elizabethan Square, George Town, Grand Cayman

No. 9

Acknowledgement of service of originating summons (0.10, r.5)

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS

The accompanying form of Acknowledgment 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 495G, George Town, Grand Cayman.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. If you wish to defend claims made in the originating summons, or intend to attend the proceedings and to participate in them so far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the acknowledgment of service.
3. 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.

4. 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 Originating Summons)".
5. 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.
6. 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.
7. 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.
8. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING 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.

1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

yes no

Service of the Originating Summons is acknowledged accordingly

(Signed).....

[Attorney] for

[Defendant in person]

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 principal office.

Please complete overleaf

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

Margeta Clarke
c/o Facey-Clarke & Ass
Unit 119
Elizabethan Square
Grand Cayman

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