

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. **527**  
OF 2005

BETWEEN:

CITCO GLOBAL CUSTODY N.V.

Plaintiff

- and -

THE BLACKHORSE ASIA FUND

Defendant

WRIT OF SUMMONS

TO: THE BLACKHORSE ASIA FUND

c/o CARD Corporate Services Limited

P.O. Box 709GT

2<sup>nd</sup> Floor, Zephyr House

Mary Street

George Town,

Grand Cayman.

**THIS WRIT OF SUMMONS** has been issued against you by the above named Plaintiff in respect of the claim set out on the next page.

Within 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 495 GT, 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 Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 17 day of NOVEMBER 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.

### **INDORSEMENT**

The Plaintiff claims damages for breach of contract and/or negligence by the Defendant for the Defendant's failure to redeem the Plaintiff's 68,917.99 participating shares of Class B3 and 40,154.17 participating shares of Class B5 on 30th June 2004 as requested by the Plaintiff on 27th May 2004 and in accordance with the express provisions of the Defendant's Preliminary Private Placement Memorandum for the redemption of participating shares. In consequence of such breach of contract and/or negligence, the Plaintiff has suffered loss and damage

AND THE PLAINTIFF CLAIMS:

1. Damages;
2. Interest pursuant to Section 34 of the Judicature Law (2004 Revision); and
3. Costs.

*Ogier*

**Ogier**  
Attorneys for the Plaintiff

This WRIT OF SUMMONS was issued by Ogier, Attorneys for the Plaintiff, whose address for service is: P. O. BOX 1234 GT, 3<sup>rd</sup> Floor, Queensgate House, South Church Street, George Town, Grand Cayman, British West Indies (Reference: 2748-0001/CGR/leac).