

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 92 OF 2006

B E T W E E N:

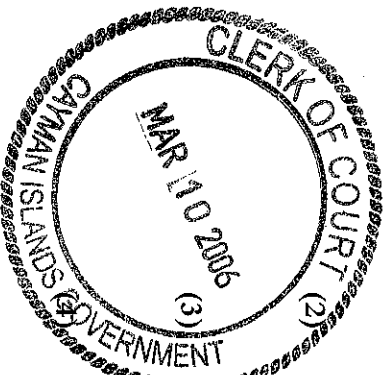
- (1) SIMON WHITE (FOR AND ON BEHALF OF HIMSELF AND ALL OTHER MEMBERS OF SYNDICATE 1200)
- (2) CHRISTINE DANDRIDGE (FOR AND ON BEHALF OF HERSELF AND ALL OTHER MEMBERS OF SYNDICATE 609)
- (3) TALBOT 2002 UNDERWRITING CAPITAL LTD (FOR AND ON BEHALF OF ITSELF AND ALL OTHER MEMBERS OF SYNDICATE 1183)
- (4) CATLIN SYNDICATES LTD (FOR AND ON BEHALF OF ITSELF AND ALL OTHER MEMBERS OF SYNDICATE 2003)
- (5) BRIT UW LTD (FOR AND ON BEHALF OF ITSELF AND ALL OTHER MEMBERS OF SYNDICATE 2987)
- (6) WELLINGTON UNDERWRITING AGENCY LTD (FOR AND ON BEHALF OF ITSELF AND ALL OTHER MEMBERS OF SYNDICATE 2020)

Plaintiffs

AND

- (1) EMBASSY INVESTMENTS LIMITED
- (2) BEACH SUTES INVESTMENTS LIMITED
- (3) LONDON PLAZA HOTELS LIMITED
- (4) LOGCREST LIMITED
- (5) HYATT REGENCY BIRMINGHAM LIMITED
- (6) HYATT INTERNATIONAL CORPORATION
- (7) AAREAL BANK AG MUIRGOLD LIMITED
- (8) MUIRGOLD LIMITED

Defendants



---

WRIT OF SUMMONS

---

TO: Embassy Investments Limited  
c/o Campbell Corporate Services Limited  
PO Box 268, Scotiabank Building  
George Town, Grand Cayman  
Cayman Islands

and

2<sup>nd</sup> Floor, 63 Curzon Street  
London W1J 8PD  
UK

Beach Suites Investments Limited  
c/o Campbell Corporate Services Limited  
PO Box 268, Scotiabank Building  
George Town  
Grand Cayman  
Cayman Islands

London Plaza Hotels Limited  
8 Baker Street  
London W1M 1DA  
UK

Logcrest Limited  
8 Baker Street  
London W1M 1DA  
UK

Hyatt Regency Birmingham Limited  
2 Bridge Street  
Birmingham  
West Midlands B1 2JZ  
UK

Hyatt International Corporation  
17 Upper Woburn Place  
London WC1H 0HT  
UK

Aareal Bank AG Mulrgold Limited  
17 Upper Woburn Place  
London WC1H 0HT  
UK

Muirgold Limited  
8 Baker Street  
London W1M 1DA  
UK

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs  
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 Acknowledgement 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 10<sup>th</sup> day of March 2006

**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.

THE PLAINTIFFS' claim is for:

1. A declaration that the Plaintiffs are entitled to avoid their participation in excess policies of insurance with slip reference numbers DC435204 and DC435404, by reason of material non-disclosure and in breach of the duty of utmost good faith by the Defendants before and at the placing of the said policies of insurance;
2. A declaration that the said policies of insurance have been validly avoided by the Plaintiffs, such that the Plaintiffs are under no liability to the Defendants;
3. Costs;

4. Such further or other relief as the Court thinks fit.

Dated the 10<sup>th</sup> day of March 2006

  
\_\_\_\_\_  
APPLEBY SPURLING HUNTER

THIS WRIT was issued by Appleby Spurling Hunter, Attorneys-at Law for the Plaintiffs, whose address for service is Clifton House, 75 Fort Street, P.O. Box 190 GT, Grand Cayman, Cayman Islands (Ref. JW/10899.003)