

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. \10 OF 2006

IN THE MATTER of the Trusts known as The Dolphin Trust and The Mana Trust, both dated 28 June 1999

AND IN THE MATTER of the Trusts Law (2001 Revision)

BETWEEN:

MERRILL LYNCH BANK AND TRUST COMPANY (CAYMAN) LIMITED

Plaintiff

- AND -



(1) YAHYA MURAT DEMIREL
(2) AYSE NUR ESENLER
(3) TASARRUF MEVDUATI SIGORTA FONU



Defendants

ORIGINATING SUMMONS

TO:

YAHYA MURAT DEMIREL and AYSE NUR ESENLER both of Oztoplu Caddesi,
Demirel Apts #37, Ulus, Etilier, Istanbul, Turkey

TASARRUF MEVDUATI SIGORTA FONU of Buyukdere Cad No.143, 34394
Esentepe, Istanbul, Turkey

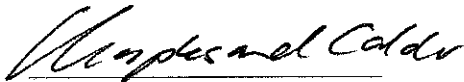
LET THE DEFENDANTS within 28 days after service of this Summons on them, counting the day of service, return the accompanying Acknowledgment of Service to the Courts Office, PO Box 495 GT, George Town, Grand Cayman.

By this Summons, which is issued on the application of Merrill Lynch Bank and Trust (Cayman) Limited of P.O. Box 1164 GT, 4th Floor Harbour Centre, North Church Street, George Town, Grand Cayman, Cayman Islands (the "Trustee"), on the hearing of an application pursuant to Section 48 or Section 63 of the Trusts Law (2001 Revision) and/or Order 85 of the Grand Court Rules and/or the inherent jurisdiction of the Court, the Trustee of the Trusts known as the Dolphin Trust and the Mana Trust, both dated 28 June 1999 (the "Trusts"), seeks the following orders, directions, declarations and relief until further order of this Honourable Court:

- (1) that directions may be given as to whether, and if so which, persons should be joined as a party to, or be served with notice of, this application, the means of service thereof, and as to representation orders;
- (2) that the Trustee may be authorised to serve a defence in Cause No.555 of 2005 substantially in the form exhibited as Exhibit "**RJM-1**" to the affidavit of Renard Johann Moxam, intended to be sworn in these proceedings, but otherwise not to contest the proceedings brought by Tasarruf Mevduati Sigorta Fonu, the Plaintiff in Cause No. 555 of 2005 (the "Plaintiff");
- (3) that the Trustee be authorised to accumulate income from the Trusts' fund in accordance with the terms of the Trust Deeds and make no distribution thereof or alternatively that such directions as this Honourable Court shall think fit may be given as to what and in what circumstances distributions of income and/or capital may be made by the Trustee in accordance with the Trust deeds;
- (4) that the Trustee be authorised to continue to invest and administer the Trusts' funds in the ordinary course of business and in accordance with the Trust deeds;
- (5) that the Trustee be at liberty as trustee of Trusts from time to time to reimburse itself for and/or pay all costs and expenses incurred by it as such trustee out of the assets of the Trust Funds in accordance with the terms of the Trust Deeds including the costs and expenses incurred by reason of the said proceedings under Cause No. 555 of 2005, Cause No. 584 of 2005 and any other ancillary proceedings brought by the Plaintiff against the Trustee anywhere in the world, in relation to the Trusts;

- (6) that the Trustee be at liberty as trustee of Trusts from time to time to reimburse and/or pay out of the assets of the Trust Funds all costs and expenses incurred by Kaffee Limited, Barla Finance Limited, Cunur Cash Limited and Medro Limited, the companies listed as the Second through Fifth Defendants under Cause No. 555 of 2005 (the "Companies"), in connection with any and all claims brought by the Plaintiff against the Companies anywhere in the world, by reason of their being assets of the Trusts which the Trustee is desirous of preserving.
- (7) that provision be made for the costs of this application; and
- (8) that all further and necessary directions may be given.

DATED this 22nd day of March, 2006


Maples and Calder

NOTE: This Summons 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 that date unless received by order of the Court.

IMPORTANT

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