

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: **191** OF 2006

B E T W E E N:

1. CHINA ONE FINANCIAL LTD
2. MSP CHINA HOLDINGS LIMITED
3. MORGAN STANLEY PROPERTIES ADVISORY CORP. LIMITED (FORMERLY KNOWN AS "MS/KTH ADVISORY CORP LIMITED")
4. MSR CAPITAL LIMITED

Plaintiffs

-and-

1. MR KENNETH KRYS
2. RSM CAYMAN ISLANDS
3. KTH CAPITAL MANAGEMENT LIMITED

Defendants

ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before the Judge in Chambers at George Town, Grand Cayman at o'clock on the day of 2006 on the hearing of an application pursuant to GCR O.29 and the inherent jurisdiction of this Honourable Court by the Plaintiffs for the following orders and directions:

1. That Mr Kenneth Krys be restrained from acting as an expert witness in Cause No 38 of 2004.
2. That the affidavit of Mr Kenneth Krys dated 26 April 2006 and the exhibit entitled "Independent Accountants Report" by Mr Kenneth Krys of RSM Cayman be removed from the Court's files and not be permitted as evidence in any proceeding, and that all

copies of the said affidavit and report be destroyed without being disclosed to any other person.

3. That Mr Kenneth Krys and RSM Cayman Islands be restrained until further order from providing any assistance, advice or information to, or from acting as accountants or auditors to, KTH Capital Management Limited.

4. That KTH Capital Management Limited, whether on its own account or by its attorneys or agents, be restrained until further order from:

- (a) obtaining, seeking or receiving any assistance, advice or information from RSM Cayman Islands, Mr Kenneth Krys or Ms Simone Tomkins in connection with its disputes with the Plaintiffs; and
- (b) using or relying on in any way for any purpose in connection with Cause 38 of 2004 or any other legal proceedings or arbitration, whether in the Cayman Islands or elsewhere, any information obtained from RSM Cayman Islands, Mr Kenneth Krys or Ms Simone Tomkins.

5. That the Defendants pay the Plaintiffs' costs on an indemnity basis, to be taxed if not agreed.

6. Such further or alternative relief as this Honourable Court deems fit.

DATED this 6th day of May 2006


Maples and Calder

TIME ESTIMATE: The estimated length of the hearing of this summons is two and a half hours.

This Summons was issued by Maples and Calder, whose address for service is Ugland House, P.O. Box 309G, George Town, Grand Cayman, attorneys-at-law for the Plaintiffs (Ref: MWI/604865/1635158)