

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 365 OF 2006

BETWEEN:

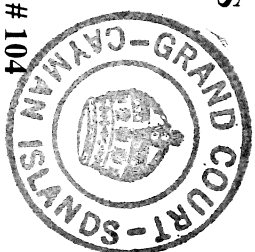
ANTHONY TRAVERS

Plaintiff

-and-

STRATA CORPORATION # 104

Defendant



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**ORIGINATING SUMMONS**

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TO: Strata Corporation # 104, also known as The Cayman Club, whose registered office is at PO Box 30115 SMB, West Bay Road, Grand Cayman, Cayman Islands

**LET THE DEFENDANT**, within 14 days after service of this Summons on him, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, PO Box 495G, George Town, Grand Cayman.

By this Originating Summons, which is issued on the application of Anthony Travers of Unit 5, The Cayman Club, West Bay Road, Grand Cayman, the Plaintiff claims against the Defendant in respect of point 1 below and seeks the determination of the Court on points 2, 3 and 4 below, namely:

- 1 An order that the Defendant by its Executive Committee do produce to the Plaintiff:
  - a. An account of the manner in which the insurance proceeds received in respect of the damage caused by Hurricane Ivan have been or are to be allocated or apportioned to each owner of a condominium at The Cayman Club.

- b. An account of the manner in which the assessments for the costs of repairs have been calculated by the Defendant's agents and claimed from each owner of a condominium at The Cayman Club.
- 2 A declaration as to the correct and appropriate amount due to be paid by the Plaintiff to the Defendant in respect of the assessments made by the Executive Committee of The Cayman Club.
- 3 A declaration that the Plaintiff is not bound to complete the "Release and Discharge" circulated by the attorneys-at-law for the Defendant as a condition precedent to the Plaintiff's entitlement to receive the appropriate proportion of his insurance proceeds.
- 4 A declaration that, pending the resolution by the Court or the parties of the issues in points 1, 2 and 3 above, the Plaintiff is entitled to participate in and vote at any general meeting notwithstanding that all contributions in respect of his strata lot may not have been duly paid.
- 5 Such other orders, declarations or directions as the Court deems just or expedient.
- 6 An order that the Plaintiff's costs of and incidental to this proceeding be paid by the Defendant. If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

Dated this 5<sup>th</sup> day of September 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 renewed by order of the Court.

**IMPORTANT**

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