

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO ³⁹¹ OF 2006

IN THE MATTER of the Joseph S. Stauffer Foundation

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

BETWEEN:

- (1) BANK OF AMERICA TRUST AND BANKING CORPORATION
(BAHAMAS) LIMITED
- (2) BANK OF AMERICA TRUST AND BANKING CORPORATION
(CAYMAN) LIMITED



AND

- (1) THE ATTORNEY GENERAL
- (2) THE PERSONAL REPRESENTATIVE OF MR JOSEPH S. STAUFFER
DECEASED



Plaintiffs

Defendants

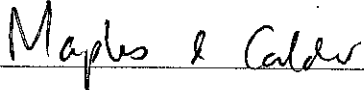
ORIGINATING SUMMONS

LET ALL THE PARTIES CONCERNED attend before the Judge of the Grand Court in Chambers at George Town, Grand Cayman at o'clock on the day of 2006 on the hearing of an application by the Plaintiffs pursuant to section 48 of the Trusts Law (2001 Revision) by which the Plaintiffs as the Trustee and Administrator respectively of the Joseph S. Stauffer Foundation ("the Foundation") established by a Memorandum of Agreement dated 17th September 1970 ("the Trust Deed") for the following orders and relief:

1. A declaration as to the validity of the Foundation as a charitable trust;
2. Further and in the alternative, rectification of Clause 3 of the Trust Deed;
3. Directions as to the notification and joinder of parties who are or may be interested in the Fund of the Foundation, and for that purpose to carry out an investigation into the beneficial interests in that Fund;

4. The appointment of the Second Plaintiff as Trustee of the Foundation in place of the First Plaintiff;
5. Subject to paragraph (4) above, an order discharging the First Plaintiff as a party to these proceedings;
6. Subject to and pending a further order herein:
 - (i) An order that the Plaintiffs and each of them or the Second Plaintiff alone if so appointed under paragraph 4, be authorised and directed to administer the Foundation in accordance with its terms and to reimburse it – or themselves from time to time and to pay all costs and expenses incurred by them or it out of the assets of the Foundation (including the compensation of the Advisors to the Trustees as provided in the Memorandum of Agreement) and to charge remuneration in accordance with the provisions of the Memorandum of Agreement;
 - (ii) An order that the Plaintiffs be authorised at the expense of the Foundation to retain attorneys and Senior Counsel in these proceedings and to instruct and remunerate such other agents as may be required for the purpose of carrying out the investigation into the beneficial interests in the Foundation;
 - (iii) An order that the Plaintiffs be authorised and directed until further order to make no distributions out of the income or capital of the Foundation;
7. That provision be made for the costs of this application;
8. That all further and necessary orders and directions may be given.

DATED this 18th day of September 2006



Maples and Calder

TIME ESTIMATE: The estimated length of the directions hearing of this summons is 2 hours.

This summons was issued by Maples and Calder, whose address for service is Ugland House, P.O. Box 309 GT, George Town, Grand Cayman, Attorneys-at-law for the Plaintiffs (613726-01/ZZR)