

IN THE GRAND COURT OF THE CAYMAN ISLANDS

60419/07
CAUSE NO: OF 2007

BETWEEN:

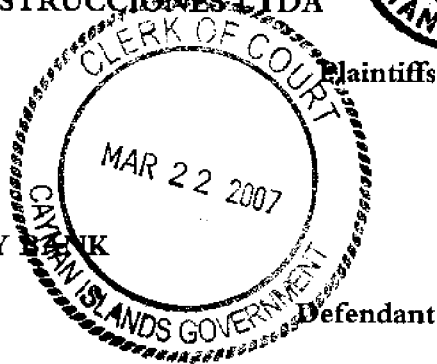
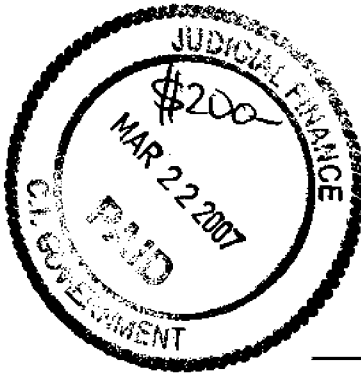
(1) ASESORIAS DE INGENIERIA Y CONSTRUCCIONES LTDA (In Liquidation) (FORMERLY KNOWN AS ZÜBLIN CHILE INGENIERIA Y CONSTRUCCIONES LTDA)

(2) ZÜBLIN CHILE INGENIERIA Y CONSTRUCCIONES LTDA SUCURSAL PERU (In Liquidation)



AND

ATLANTIC SECURITY BANK



Plaintiffs

Defendant

ORIGINATING SUMMONS

LET THE DEFENDANT, of Ugland House, PO Box 309, George Town, Grand Cayman KY1-1104 attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the day of 2007 at o'clock on the hearing of an application by the First Plaintiff ("Züblin Chile") of Napoleon 3565 Oficina 912, Las Condes, Santiago de Chile, Chile and the Second Plaintiff ("Züblin Peru"), registered in Peru as a branch of Züblin Chile and having its address at Avenida Andres Reyes 360, Lima, Peru for orders that:

1. The Defendant do provide to the Plaintiffs or their attorneys or duly authorised agents (hereinafter "the Plaintiffs") true complete and unredacted copies of all documents or records (including documents and records that are stored electronically by means of computer or on computer hard or other disc or otherwise) in its possession custody or power relating to:

- (a) The following transfers or payments or any of them (“the payments”) made to account(s) held in the name of Albert Forsyth (also known as Albert Forsyth Solari) and Fadia Daneri Forsyth Solari (the “Forsyths”) at the Defendant bank:

	From	Date	Amount	Transferor Bank
1	Albert Forsyth Solari	06.10.99	US\$555,000.00	Totalbank, Miami
2	Albert Forsyth Solari	17.03.00	US\$100,000.00	Totalbank, Miami
3	Albert Forsyth Solari	14.06.00	US\$35,000.00	Totalbank, Miami
4	Albert Forsyth Solari/Fadia Daneri	23.11.01	US\$13,000.00	Totalbank, Miami
5	Albert Forsyth Solari	24.01.02	US\$342,710.00	Totalbank, Miami
6	DIPG*	06.10.99	US\$249,000.00	Totalbank, Miami
7	DIPG*	30.12.99	US\$308,000.00	Totalbank, Miami
Total			US\$1,602,710.00	

* Deutsche Ingenieure Und Projekt Gesellschaft Ltd

- (b) The following account or accounts (“the Accounts”) held at the Defendant bank:
- (i) account numbers 3544 026042 001 or 3622 1753 (as at October 1999) or their equivalent held by the Forsyths;
 - (ii) any account or accounts in the names of persons or entities listed in the Schedule attached hereto marked “Schedule A”.
 - (iii) any account or accounts to which monies (in excess of US\$10,000 or its equivalent in other currencies) have been transferred whether directly or indirectly from the persons or entities listed in Schedule A since 30 June 1998.
 - (iv) any account or accounts in respect of which the persons or entities listed in Schedule A or any of them are the known or reputed owners

or beneficiaries, or are authorised signatories or are authorised to give instructions or have given or are giving instructions.

2. The documents or records referred to at paragraph 1 are to include:
 - (a) The destination of any monies (in excess of US\$10,000 or its equivalent in other currencies) paid out of the Accounts;
 - (b) The opening of the Accounts and the operation thereof;
 - (c) All dealings with or in the Accounts from the dates upon which they were opened onwards, including:
 - (i) all statements of account relating to the Accounts;
 - (ii) all correspondence relating to the Accounts between any parties;
 - (iii) all internal memoranda relating to the Accounts;
 - (iv) all documents containing information or instructions concerning the Accounts and payments and transfers relating thereto;
 - (v) all cheques drawn on the Accounts and all debit vouchers, transfer applications, transfer instructions and transfer orders relating to the Accounts;
3. The Defendant be restrained until further order of this Court (whether by its officers servants agents or otherwise) from parting with possession of or destroying or mutilating or amending or deleting or removing or disposing of any of the documents or records referred to in paragraphs 1 and 2 above, without the written consent of the Plaintiffs.
4. Directions be given as to any application which may be necessary under s.4 of the Confidential Relationships (Preservation) Law.
5. Costs.

THE GROUNDS OF THIS APPLICATION are set out in the affidavit of Dr Lutz Bohn to be sworn.

AND LET THE DEFENDANT within 14 days after service of this Summons on him counting the day of service, return the accompanying Acknowledgement of Service to the Courts office.

Dated this *22nd* day of March 2007



APPLEBY HUNTER BAILHACHE

NOTES:

- (1) 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 the above date unless renewed by order of the Court.
- (2) If a defendant does not attend personally or by his attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient.

IMPORTANT

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

Schedule A

1. Albert Forsyth aka Albert Forsyth Solari
2. Fadia Daneri de Forsyth
3. Saul Evangelista Lopez Fernandez
4. Prohotel International DBA Inc.
5. Ogden Investment, Ltd.
6. Cranston Investments Peru, S.A.C.
7. Dagwood Services Company Ltd.
8. Deutsche Ingenieure Und Projekt Gesellschaft Ltd.
9. Wolf Dieter Dahl
10. Jose Sanchez Dieguez
11. Claudio Torres

THIS ORIGINATING SUMMONS was issued by Appleby Hunter Bailhache, Attorneys-at-Law for the Plaintiffs, whose address for service is that of their said Attorneys-at-Law, namely Clifton House, 75 Fort Street, PO Box 190, Grand Cayman, Cayman Islands KY1-1104 (Ref: JT/11564.001).

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF ORIGINATING SUMMONS**

The accompanying form of Acknowledgement of Service should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495 GT, George Town, Grand Cayman.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement of Service and return it to the Courts Office.
2. If you wish to defend claims made in the Originating Summons, or intend to attend the proceedings and to participate in them so far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the Acknowledgment of Service.
3. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
4. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Originating Summons)".
5. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "Partner in the firm of (.....)" after his name.
6. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.
7. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorised to act on

behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.

8. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 119 OF 2007

B E T W E E N:

(1) ASESORIAS DE INGENIERIA Y CONSTRUCCIONES LTDA (In Liquidation) (FORMERLY KNOWN AS ZÜBLIN CHILE INGENIERIA Y CONSTRUCCIONES LTDA)

(2) ZÜBLIN CHILE INGENIERIA Y CONSTRUCCIONES LTDA SUCURSAL PERU (In Liquidation)

Plaintiffs

AND

ATLANTIC SECURITY BANK

Defendant

**ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS**

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

-
1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged:
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2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

YES

NO

Service of the Originating Summons is acknowledged accordingly

Date: 2007

Attorneys for Defendant

Address for service:

Notes on address for service

Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

Endorsement by Plaintiffs' Attorney (or by Plaintiffs if suing in person) of his name, address and reference, if any, in the box below.

Appleby Hunter Bailhache
Attorneys-at-Law
Clifton House
75 Fort Street
PO Box 190
George Town
Grand Cayman KY1-1104
Ref. JT/11564.001

Endorsement by Defendant's Attorney (or by Defendant if suing in person) of his name, address and reference, if any, in the box below.

[Empty box for Defendant's Attorney endorsement]