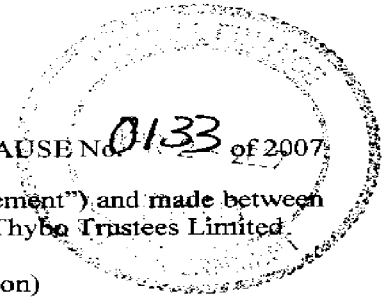
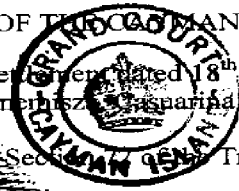


IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE No. 0133 of 2007

IN THE MATTER of the Settlement dated 18th April 1983 ("the Settlement") and made between Hans Heinrich Thyssen-Bornemisza, Guardian Trustees Limited and Thybo Trustees Limited

AND IN THE MATTER of Section 95A Trusts Law (2001 Revision)



GEORG HEINRICH THYSSEN-BORNEMISZA

Plaintiff

FRANCESCA ANNA VON HABSBURG-LOTHRINGEN

LORNE JOHANNES THYSSEN-BORNEMISZA

- (3) ALEXANDRA MARA THYSSEN-BORNEMISZA
- (4) WILFRID ALEXANDER THYSSEN-BORNEMISZA
- (5) ELEONORE MARIA DEL PILAR IONA CHRISTINA JELENA VON HABSBURG-LOTHRINGEN [a Minor] by her guardian ad litem, Alois Konstantin Fuerst zu Loewenstein
- (6) FERDINAND ZVONIMIR MARIA BALTHUS KEITH MICHAEL OTTO ANTAL BAHNAM VON HABSBURG-LOTHRINGEN [a Minor] by his guardian ad litem, Alois Konstantin Fuerst zu Loewenstein
- (7) GLORIA MARIA BOGDANA PALOMA REGINA FIONA GABRIELA VON HABSBURG-LOTHRINGEN [a Minor] by her guardian ad litem, Alois Konstantin Fuerst zu Loewenstein
- (8) JULIA FAUSTINA THYSSEN-BORNEMISZA [a Minor] by her guardian ad litem, Alois Konstantin Fuerst zu Loewenstein
- (9) THYBO TRUSTEES LIMITED
- (10) TORNABUONI LIMITED
- (11) THE ATTORNEY GENERAL OF THE CAYMAN ISLANDS

Defendants

ORIGINATING SUMMONS

TO:

- (1) Francesca Anna Von Habsburg-Lothringen, whose address is c/o her Solicitors, Baker & McKensie LLP, of 100 New Bridge Street, London EC4V 6JA, England
- (2) Lorne Johannes Thyssen-Bornemisza, whose address is c/o of his Solicitors, Taylor Wessing Carmelite, 50 Victoria Embankment, Blackfriars, London EC4Y 0DX, England
- (3) Alexandra Mara Thyssen-Bornemisza, whose address is c/o of her Solicitors, Taylor Wessing Carmelite, 50 Victoria Embankment, Blackfriars, London EC4Y 0DX, England
- (4) Wilfrid Alexander Thyssen-Bornemisza, whose address is c/o his Solicitors, Withers, 16 Old Bailey, London EC4M 7EG, England
- (5) Eleonore Maria Del Pilar Iona Christina Jelena Von Habsburg-Lothringen [a Minor] by her guardian ad litem, Alois Konstantin Fuerst zu Loewenstein, whose address is c/o his Solicitors, Harcus Sinclair, 40 Victoria Embankment, London EC4Y 0BA, England
- (6) Ferdinand Zvonimir Maria Balthus Keith Michael Otto Antal Bahnam Von Habsburg-Lothringen [a Minor] by his guardian ad litem, Alois Konstantin Fuerst zu Loewenstein, whose address is c/o his Solicitors, Harcus Sinclair, 40 Victoria Embankment, London EC4Y 0BA, England
- (7) Gloria Maria Bogdana Paloma Regina Fiona Gabriela Von Habsburg-Lothringen [a Minor] by her guardian ad litem, Alois Konstantin Fuerst zu Loewenstein, whose address is c/o his Solicitors, Harcus Sinclair, 40 Victoria Embankment, London EC4Y 0BA, England
- (8) Julia Faustina Thyssen-Bornemisza [a Minor] by her guardian ad litem, Alois Konstantin Fuerst zu Loewenstein, whose address is c/o his Solicitors, Harcus Sinclair, 40 Victoria Embankment, London EC4Y 0BA, England
- (9) THYBO TRUSTEES LIMITED of Richmond House, 12, Par-la-ville Road, Hamilton, HM08, Bermuda
- (10) TORNABUONI LIMITED of Town Mills, Trinity Square, St Peter Port, Guernsey, Channel Islands
- (11) THE ATTORNEY GENERAL OF THE CAYMAN ISLANDS of the Attorney General's Chambers, 4th Floor, Government Administration Building, George Town, Grand Cayman, Cayman Islands

LET THE DEFENDANTS Francesca Anna Von Habsburg-Lothringen, Lorne Johannes Thyssen-Bornemisza, Alexandra Mara Thyssen-Bornemisza, Wilfrid Alexander Thyssen-Bornemisza, Eleonore Maria Del Pilar Iona Christina Jelena Von Habsburg-Lothringen, Ferdinand Zvonimir Maria Balthus Keith Michael Otto Antal Bahnam Von Habsburg-Lothringen, Gloria Maria Bogdana Paloma Regina Fiona Gabriela Von Habsburg-Lothringen, Julia Faustina Thyssen-Bornemisza, Thybo Trustees Limited, Tornabuoni Limited and the Attorney General of The Cayman Islands within 28 days after service of this Originating Summons on them, counting the day of service, return the accompanying acknowledgment of service to the Court Office, P.O. Box 495 GT, George Town, Grand Cayman KY1-1106, Cayman Islands

BY THIS ORIGINATING SUMMONS which is issued on the application of the Plaintiff Georg Heinrich Thyssen-Bornemisza whose address is c/o his Solicitors, Clifford Chance, Solicitors, of 10 Upper Bank Street, London, E14 5JJ, England, who is a beneficiary of the said Settlement, against the Defendants (whose addresses are given above and who in the case of the 1st to 8th Defendants are beneficiaries of the Settlement, in the case of the 9th and 10th Defendants are respectively the trustee and the protector of the Settlement, and in the case of the 11th Defendant is joined because of the interest of charity under the Settlement) the Plaintiff seeks the following relief:-

- (1) an order of the Court approving on behalf of all infant, unborn and unascertained beneficiaries of the Settlement an arrangement varying the trusts of the Settlement in the terms of a draft minute of order which the Plaintiff intends to exhibit to an affidavit to be sworn by the Plaintiff herein or in such other terms as the Court may think fit;
- (2) an order making provision for the costs of this application to be as provided in the said draft minute of order or in such other terms as the Court thinks fit;
- (3) such further or other relief as the Court thinks fit.

Dated the 31st March 2007



Bodden & Bodden
Attorneys for the Plaintiff

If the Defendants do not acknowledge service, judgment may be given or made against, or in relation to them, as the Court may think just and expedient

NOTE: This Originating Summons may be served not later than 4 calendar months (or if leave is required to effect notice 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 forms.

THIS ORIGINATING SUMMONS was issued by Bodden & Bodden, attorneys for the Plaintiff, whose address for service is that of his said attorneys, namely Grand Pavilion Commercial Centre, 802 West Bay Road, PO Box 10335, Grand Cayman KY1-1003 [Our Reference: 1016-0001/WJH].

**DIRECTIONS FOR ACKNOWLEDGMENT OF
SERVICE OF ORIGINATING SUMMONS**

The accompanying form of Acknowledgment 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 495GT, George Town, Grand Cayman.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment 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.

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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.G 32 2007

IN THE MATTER of the Settlement dated 18th April 1983 ("the Settlement") and made between Hans Heinrich Thyssen-Bornemisza, Casuarina Trustees Limited and Thybo Trustees Limited

AND IN THE MATTER of Section 72 of the Trusts Law (2001 Revision)

BETWEEN:

GEORG HEINRICH THYSSEN-BORNEMISZA

Plaintiff

AND:

- (1) FRANCESCA ANNA VON HABSBURG-LOTHRINGEN
- (2) LORNE JOHANNES THYSSEN-BORNEMISZA
- (3) ALEXANDRA MARA THYSSEN-BORNEMISZA
- (4) WILFRID ALEXANDER THYSSEN-BORNEMISZA
- (5) ELEONORE MARIA DEL PILAR IONA CHRISTINA JELENA VON HABSBURG-LOTHRINGEN [a Minor] by her guardian ad litem, Alois Konstantin Fuerst zu Loewenstein
- (6) FERDINAND ZVONIMIR MARIA BALTHUS KEITH MICHAEL OTTO ANTAL BAHNAM VON HABSBURG-LOTHRINGEN [a Minor] by his guardian ad litem, Alois Konstantin Fuerst zu Loewenstein
- (7) GLORIA MARIA BOGDANA PALOMA REGINA FIONA GABRIELA VON HABSBURG-LOTHRINGEN [a Minor] by her guardian ad litem, Alois Konstantin Fuerst zu Loewenstein
- (8) JULIA FAUSTINA THYSSEN-BORNEMISZA [a Minor] by her guardian ad litem, Alois Konstantin Fuerst zu Loewenstein
- (9) THYBO TRUSTEES LIMITED
- (10) TORNABUONI LIMITED
- (11) THE ATTORNEY GENERAL OF THE CAYMAN ISLANDS

Defendants

**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.

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.

**Attorney for the 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 principal office.

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

Bodden & Bodden
Attorneys-at-Law
PO Box 10335GT
George Town
Grand Cayman KY1-1003
Cayman Islands

(Reference: 1016-
0001/WJH)

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

