

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 188 of 2007

IN THE MATTER of The Confidential Relationships (Preservation) Law (1995 Revision)

AND IN THE MATTER of Merrill Lynch Bank and Trust Company (Cayman) Limited and Fiduciary Services Limited and proceedings before the Grand Court of the Cayman Islands, Cause No: 555 of 2005

AND IN THE MATTER of Merrill Lynch International Bank Limited and proceedings before the High Court of Justice of England and Wales, Chancery Division, in Claim Nos. HC05C03744 and HC05C03745

EX PARTE ORIGINATING SUMMONS

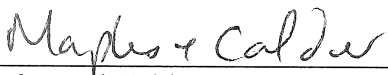
LET ALL PARTIES CONCERNED attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman on the *23rd* day of *May* 2007 at *9:30* am/pm on the hearing of an application by Merrill Lynch Bank and Trust Company (Cayman) Limited, as Trustee of The Dolphin Trust and The Mana Trust (the "Trusts"), and by Kaffee Limited, Barla Finance Limited, Cunur Cash Limited and Medro Limited (the "Companies"), each of P.O. Box 1164GT, George Town, Grand Cayman, Cayman Islands, British West Indies, for directions pursuant to Section 4 of the Confidential Relationships (Preservation) Law (1995 Revision).

Merrill Lynch Bank and Trust Company (Cayman) Limited and the Companies, each being Defendants in proceedings under Consolidated Cause No.80 of 2007 (the "Cayman Proceedings") are now, and/or will in the future be, required and intend to give in evidence confidential information that may relate or be subject to the Trusts, Companies, Yahya Murat Demirel and/or Ayse Nur Esenler by means of providing or producing lists of documents, affidavits, written statements, oral testimony and documents for inspection and seek the following orders and directions that:

1. The Applicants be permitted to disclose any confidential information in evidence in the Cayman Proceedings by means of:

- a. the production of information or documents pursuant to any applicable request or order;
 - b. any affidavit or witness statement served by or on behalf of any of the Applicants; and
 - c. any oral testimony given by or on behalf of any of the Applicants.
2. Such directions as to service of the Notice of the Summons herein as the Court shall think fit.
 3. Such further or other directions and orders as the Court shall think fit.

DATED this 4th day of May 2007



Maples and Calder

TO: The Clerk of the Court

AND TO: The Honourable Attorney General
Government Administration Building
George Town
Grand Cayman

TIME ESTIMATE: The estimated length of the hearing of this summons is 1 hour.

This Originating Summons was issued by Maples and Calder, Ugland House, PO Box 309, George Town, Grand Cayman, Attorneys-at-law for the Applicant (ZZR/615697/)