

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 223 OF 2007

BETWEEN:

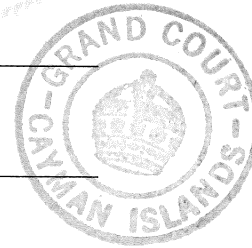
TINA AND MICHAEL WIND

Plaintiffs

AND

B.A.R.B.S LIMITED

Defendant



ORIGINATING SUMMONS

To B.A.R.B.S Limited whose registered office is Campbell Corporate Services, PO Box 268 GT, Scotia Bank Building, George Town, Grand Cayman.

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

By this Originating Summons issued by Tina Wind and Michael Wind of 313 Waterways, Safehaven, Grand Cayman, Cayman Islands, the Plaintiffs seek the following orders, declarations and directions:

- 1 An order that on 10 May 2007 the Plaintiffs validly and properly terminated the Agreement for Sale of Unit A4 Triumph Village, Grand Cayman ("Property") dated 16 June 2006 between the Plaintiffs and Defendant ("Agreement") pursuant to clause 10 of the said Agreement.
- 2 An order that the Defendant do repay to the Plaintiffs CI\$57,000 such sum being the deposit paid by the Plaintiffs to the Defendant in respect of the Property, pursuant to clause A and B of

the First Schedule to the Agreement, plus interest pursuant to section 34 of the Judicature Law (2004 Revision).

- 3 In the alternative, an order that the Defendant do sell to the Plaintiffs the Property pursuant to the terms of the Agreement, taking into account the deposit of CI\$57,000 as paid by the Plaintiffs.
- 4 An injunction restraining the Defendant from:
 - (a) forfeiting the Plaintiffs' deposit pursuant to clause 4 (7) of the Agreement; or
 - (b) selling, charging or otherwise encumbering the Property pending the outcome of this proceeding.
- 5 An order that the Plaintiffs' costs of and incidental to this proceeding be paid by the Defendant.
- 6 Such other orders, declarations or directions as the Court deems just or expedient.

If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation to it as the Court may think just and expedient.

DATED this 28 day of May 2007



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.

This Originating Summons was issued by Maples and Calder, Attorneys-at-Law for the Plaintiff whose address for service is PO Box 309GT, Uglan House, South Church Street, George Town, Grand Cayman, Cayman Islands (Ref: MWI/999999/11651361)

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.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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BETWEEN:

TINA AND MICHAEL WIND

Plaintiff[s]

AND

B.A.R.B.S LIMITED

Defendant[s]

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

(Signed).....

[Attorney] for

[Defendant in person]

Address for service:

Dated: May 2007

Please complete overleaf

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 if suing in person) of his name, address and reference, if any, in the box below.

M aples and Calder
Attorneys-at-Law
PO Box 309GT,
Ugland House
South Church Street,
George Town
Grand Cayman,
Cayman Islands

Ref: MWI/999999/11651361

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