

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 258 OF 2007

BETWEEN:

K COAST DEVELOPMENT LTD.



Plaintiff

AND:

THE PROPRIETORS, STRATA PLAN 55, KNOWN AS OCEAN CLUB

Defendant

TO: The Proprietors, Strata Plan No. 55, known as Ocean Club
PO Box 437, Savannah
658 Shamrock Rd., Grand Cayman



ORIGINATING SUMMONS

LET THE DEFENDANT within 14 days after service of this Summons on it, counting the day of service, return the accompanying Acknowledgement of Service to the Courts Office, P.O. Box 495G, George Town, Grand Cayman.

By this Summons, which is issued on the application of K Coast Development Ltd. of P.O. Box 10587APO, 44 Sherwood Drive, Grand Cayman, the Plaintiff seeks against the Defendant:

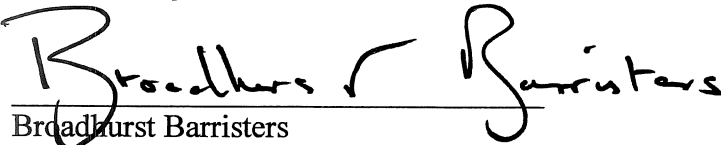
1. an Order compelling the Defendant to return intact to the Plaintiff all of the books and materials contained in 7 Strata Contract Change Order binders, 8 PDI (Pre Delivery Inspection) binders, multiple personnel files, multiple Tool Disbursement records and 20 binders of Subcontract documents all of which were removed without authority from the site offices of the Plaintiff located at Registration Section Spotts Block 25B Parcel 338 known as Ocean Club where the Plaintiff was carrying out restoration and new construction work for the

Defendant pursuant to a written contract entered into between the Plaintiff and the Defendant dated the 11th November 2005; and all of which is the property of the Plaintiff

2. Liberty to apply
3. Costs on an indemnity basis
4. Such further or other relief as the Court thinks just.

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 15th day of June, 2007


Broadhurst Barristers
Attorneys-at-law for the plaintiff

NOTE – This Summons may not be served later than 4 Calendar months beginning with that date unless renewed by order of the Court

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

1. 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 to the Law Courts, PO Box 495, 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 acknowledgement of service.
3. For the purpose of calculating the period of fourteen (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 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 authorized to act on behalf of the Company, but the Company can take no further steps in proceedings without an Attorney acting on its behalf.
8. Where the Defendant is a MINOR or a MENTAL HEALTH 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. ____ OF 2007

BETWEEN:

K COAST DEVELOPMENT LTD.

Plaintiff

AND:

THE PROPRIETORS, STRATA PLAN 55, KNOWN AS OCEAN CLUB

Defendant

**ACKNOWLEDGEMENT 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 the proceedings (*tick appropriate box*)

Yes [] No []

Service of the Originating Summons is acknowledged accordingly

(signed) _____

[Attorney] for

[Defendant in Person]

Address for service:

Please see 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 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.

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

BROADHURST BARRISTERS
ATTORNEYS-AT-LAW
40 LINWOOD STREET
PO BOX 2503
GEORGE TOWN K1-1104, GRAND CAYMAN
CAYMAN ISLANDS, BRITISH WEST INDIES

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