

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. <sup>249</sup> OF 2007

BETWEEN:

MARIE-HELENE DUFFIELD

PLAINTIFF

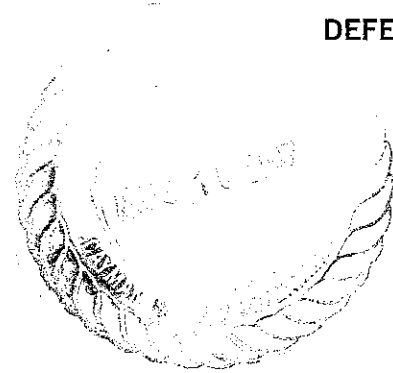
AND:

MICHAEL DUFFIELD

DEFENDANT

WRIT OF SUMMONS

TO: Michael Duffield  
c/o Turner & Roulston  
Attorneys-at-Law  
George Town,  
Grand Cayman  
Cayman Islands.



**THIS WRIT OF SUMMONS** has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

Within 14 days after the service of this Writ of Summons on you, counting the day of service, you must either satisfy the claim or return to the Courts Office, P.O. Box 495, George Town, Grand Cayman, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 10<sup>th</sup> day of August 2007.

NOTE:- This Writ 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 date of issue unless renewed by Order of the Court.

### **IMPORTANT**

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

### **INDORSEMENT**

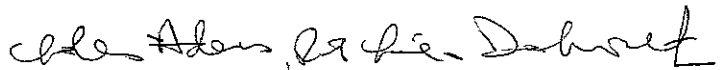
The Plaintiff's claim against the Defendant is for the sum of US\$122,000.96 or such other sum being the equivalent to 81.66% of the total sum held on deposit at Cayman National Securities Ltd. in account number 504284 or any related account being the debt due to the Plaintiff by the Defendant pursuant to the final judgment obtained in the District Court of Harris County, Texas, 246<sup>th</sup> Judicial District (the "Texas Court") on the 19 April 2005 as set out below.

### **STATEMENT OF CLAIM**

1. The Plaintiff is a resident of Houston, Texas in the United States of America.
2. The Defendant's address is Les Gloriettes, 73 Bb Mar de Lattre de Tassigny, 83220 Le Pradet, France.
3. On the 19<sup>th</sup> day of April 2005 a Final Decree of Divorce was entered in the Texas Court, Case No. 2004-08349 (the "Final Judgment"). By the Final Judgment, the Judge of the Texas Court, with the consent of the Plaintiff and the Defendant herein, *inter alia*, awarded to the Plaintiff 81.66 percent of the brokerage account number 108090002-00 held at Cayman National Securities Ltd. in the name of CAPCO OFFSHORE LLC, together with increases thereof, the proceeds therefrom and any rights related thereto, and ordered

that this sum be transferred to an account in accordance with the Plaintiff's instructions.

4. The Final Judgment is final and conclusive and has not been appealed against.
5. The corresponding money market account held at Cayman National Securities Ltd. is 504284. As at 15<sup>th</sup> March 2007, the net worth of the money market account was US\$149,401.13 with the result that the Plaintiff's entitlement thereto is US\$122,000.96 together with any further increases and rights related thereto.
6. The Plaintiff therefore claims as against the Defendant pursuant to the Final Judgment, the sum of US\$122,000.96 together with any interest or increases accrued thereon or such sum being the equivalent of 81.66% of the net worth value of the money market account number 504284 or any related account held at Cayman National Securities Ltd. to be paid from the said account or accounts.
7. The Plaintiff further claims against the Defendant costs on an indemnity basis to be paid from the Defendant's interest in the funds held in the money market account number 504284 or any related account.
8. Such further or other relief as the Honourable Court deems just.



**CHARLES ADAMS, RITCHIE & DUCKWORTH**  
**ATTORNEYS-AT-LAW FOR THE PLAINTIFF**

This Writ of Summons is filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for the Plaintiff herein whose address for service is that of its attorneys-at-law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman KY1-1107.



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.

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

Charles Adams, Ritchie & Duckworth  
PO Box 709  
Mary Street, Zephyr House  
George Town,  
Grand Cayman

Indorsement 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 indorsement]

Filed by Charles Adams, Ritchie & Duckworth, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service is that of its said Attorneys-at-Law, P.O. Box 709, Zephyr House, Mary Street, George Town, Grand Cayman, B.W.I.

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. 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 serve on the day it was delivered to him.

3. 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 Writ of Summons)".
4. 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.
5. 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.
6. 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.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.