

IN THE GRAND COURT OF THE CAYMAN ISLANDS

381
CAUSE NO. OF 2007

BETWEEN:

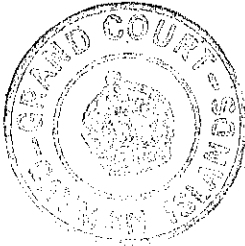
MUNIB MASRI

Plaintiff

-AND-

(1) CONSOLIDATED CONTRACTORS INTERNATIONAL COMPANY SAL
(2) CONSOLIDATED CONTRACTORS (OIL AND GAS) COMPANY SAL

Defendants

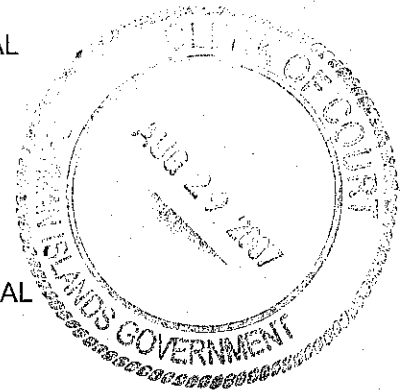


WRIT OF SUMMONS

TO:

Consolidated Contractors International Company SAL
"Polis" Centre
62 Kifissias Avenue
Amaroussion 15110
PO Box 61092
Athens
Greece

Consolidated Contractors (Oil and Gas) Company SAL
Bir Hassan
Nicolas Sursock Street
PO Box 11-2254
Riad El Solh
Beirut
1107-2100
Lebanon



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

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment 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: 29 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.

GENERAL ENDORSEMENT

- (1) The Plaintiff is an international businessman based in Amman, Jordan.
- (2) The First Defendant is incorporated in Lebanon and is registered as a foreign company in Greece and the Second Defendant is a company incorporated in Lebanon. The Defendant companies are members of a group of companies called the Consolidated Contractors Group. The First Defendant is engaged in, inter alia, a project to build the Baku-Tibilisi-Ceyhan Pipeline from Azerbaijan to Turkey (the "**Pipeline**").
- (3) The Baku-Tibilisi-Ceyhan Pipeline Company owns the Pipeline and is a Cayman Islands exempt company whose registered office is at Maples and Calder Limited, PO Box 309 GT, Ugland House, South Church Street, George Town, Grand Cayman, Cayman Islands.
- (4) The Plaintiff commenced proceedings against, inter alia, the Defendants before the Commercial Court, Queen's Bench Division, High Court of England and Wales under claim numbers, Claim Number 2004 Folio 124 and Claim Number 2004 Folio 831 in 2004 (the "**English Proceedings**").
- (5) The Plaintiff obtained the following Court Orders made in the English Proceedings in the Cayman Islands against the Defendants:-
 1. The Order of Mrs. Justice Gloster DBE dated 4 May 2007 requiring:-
 - (i) the payment of GBP722,841.11 by the Defendants to the Plaintiff; and
 - (ii) the payment of US\$30,000,000 by way of an interim payment by the Defendants to the Plaintiff;
 2. The Order of Lloyd LJ dated 12 June 2007 requiring the payment of GBP23,500.00 by the Defendants to the Plaintiff;
 3. The Order of Mrs. Justice Gloster DBE dated 15 June 2007 requiring:-
 - (i) the payment of US\$38,689,761.37 by the Defendants to the Plaintiff (such amount including the interim payment of US\$30,000,000 ordered to be paid pursuant to the Order dated 4 May 2007); and
 - (ii) the payment of US\$1,175,915.69 by way of an interim payment by the Defendants to the Plaintiff;
 4. The Order of Mrs. Justice Gloster DBE dated 27 June 2007 requiring:-
 - (i) the payment of GBP90,243.00 by the Defendants to the Plaintiff; and
 - (ii) the payment of GBP8,468.98 by the Defendants to the Plaintiff;

5. The Order of the Court of Appeal dated 11 July 2007 requiring the payment of GBP85,000 by the Defendants to the Plaintiff.
- (6) Wrongfully and in breach of the above-mentioned Court Orders, the Defendants have failed to pay the Plaintiff the amounts due of GBP930,053.09 and US\$39,865,677.06.
- (7) The Plaintiff therefore claims, as a liquidated debt, GBP930,053.09 and US\$39,865,677.06 together with interest and costs.
- (8) The Baku-Tbilisi-Ceyhan Pipeline Company is a third party debtor of the First Defendant and the Plaintiff seeks to enforce its Judgment against monies owing by The Baku-Tbilisi-Ceyhan Pipeline Company to the First Defendant.

STATEMENT REGARDING INTEREST:

1. Pursuant to the Judicature Law (2004 Revision), the Judgment Debts (Rate of Interest) Rules 2006, the Rate of Interest on the sum of GBP930,053.09 claimed is 6.75 per annum.
2. The dates from which interest is calculated is 5 May 2007 in respect of the sum of GBP722,841.11, 13 June 2007 in respect of the sum of GBP23,500.00, 28 June 2007 in respect of GBP90,243.00, 28 June 2007 in respect of GBP8,468.98 and 12 July 2007 in respect of GBP85,000.
3. The total amount of interest claimed as at 29 August 2007 (calculated on a simple basis) is GBP 17,899.38
4. The amount of interest accruing each day thereafter is GBP 172.00 (calculated on a simple basis).
5. Further, pursuant to the Judicature Law (2004 Revision), the Judgment Debts (Rate of Interest) Rules 2006, the Rate of Interest claimed on the sum of US\$39,865,677.06 is 7.25% per annum, compounded monthly.
6. The date from which interest is calculated is 16 June 2007 in respect of the sum of US\$39,865,677.06.
7. The total amount of interest claimed as at 29 August 2007 (calculated on a simple basis) is US\$593,889.37.
8. The amount of interest accruing each day thereafter is US\$7,918.52 (calculated on a simple basis).

Dated: 29 August 2007



STUARTS WALKER HERSANT
Attorneys at Law for the Plaintiff

This WRIT OF SUMMONS was filed by Stuarts, Attorneys-at-Law for the Plaintiff whose address for service is Cayman Financial Centre, 36A, Dr. Roy's Drive, P.O. Box 2510 GT, Grand Cayman, Cayman Islands. Ref: RTWA/2970

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS

1. The accompanying form of *Acknowledgment of Service* should be completed by an Attorney acting on behalf of each Defendant or by each Defendant if acting in person.

After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If A Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

***See over for notes for guidance
Please complete overleaf***

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. For the purpose of calculating the period of 28 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.
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.

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 communication for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

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

Stuarts Walker Hersant
Attorneys-at-Law for the Plaintiff
Cayman Financial Centre
36A Dr. Roy's Drive
P.O. Box 2510 GT
George Town
Grand Cayman

Attention: Anthony Akiwumi/Richard Annette
Reference: 2970

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

