

IN THE GRAND COURT OF THE CAYMAN ISLANDS

399
CAUSE NO. OF 2007

PLAIN:1st:F. McField. .9.2007

IN THE MATTER OF THE REGISTERED LAND LAW(2004 REVISION)

AND

IN THE MATTER OF LEASE MADE ON 7 APRIL 2005

AND

IN THE MATTER OF AN APPLICATION FOR AN INJUNCTION

BETWEEN:

CARIBBEAN RESTAURANT LTD./RINCON CABANITO LTD T/A
ERNESTOS RESTAURANT AND BAR

PLAINTIFF

AND

GRAND CAY INVESTMENTS

DEFENDANT

EX PARTE ORIGINATING SUMMONS

LET THE Parties attend before the Judge in chambers, at the Law Courts, George Town, Grand Cayman on the 13th day of Sept 2007, at o'clock at the hearing of an application by the Applicant's Attorney for an Order in the following terms:

1. An injunction restraining the Defendant whether by itself or by its servants or agents or howsoever otherwise from unlawfully and in breach of contract purporting to terminate the lease made between the Plaintiff and the Defendant dated 7 April 2005 (the "Lease") prior to the termination of the said term by efflux of time;
2. An injunction restraining the Defendant whether by his servants, agents or howsoever otherwise from forcibly ejecting the Plaintiff from, or preventing the Plaintiff having access to premises situated at and known as "Ernestos" at Unit 19, The Strand (Block 12C Parcel 350H19) (the "Premises") until the hearing of this Summons on notice or further Order of the Court;
3. An injunction restraining the Defendant whether by its servants, agents or howsoever otherwise from breaching the Landlord's covenant of, and the Plaintiff's right to, quiet enjoyment of the Leased Premises by forcibly ejecting the Plaintiff from, or preventing the Plaintiff having access to (whether by the changing of locks, the turning off of water supply to the Premises or howsoever otherwise) the Leased Premises until the hearing of this Summons on notice or further Order of the Court
4. Further or other relief; and
5. That the Plaintiff do have the costs of this Originating Summons to be taxed on a full indemnity basis if not agreed;

Dated the 12 day of September 2007

