

IN THE GRAND COURT OF THE CAYMAN ISLANDS

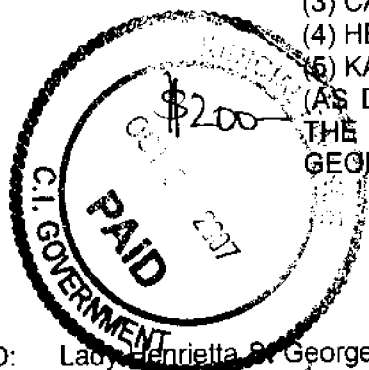
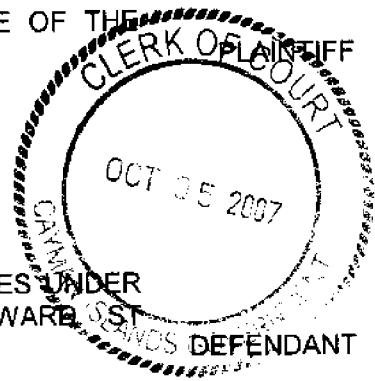
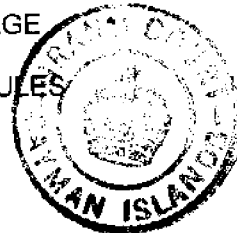
G0468/07  
CAUSE NO: OF 2007

IN THE MATTER OF: THE ESTATE OF THE LATE EDWARD ST GEORGE

AND IN THE MATTER OF: ORDER 85 RULE 2 OF THE GRAND COURT RULES

BETWEEN: (1) LADY HENRIETTA ST GEORGE  
(2) JAMES FITZROY, EARL OF EUSTON  
(3) CHRISTOPHER CAFFERATA  
(AS EXECUTORS OF THE ESTATE OF THE  
LATE EDWARD ST GEORGE)

AND: (1) LADY HENRIETTA ST GEORGE  
(2) SARAH ST GEORGE  
(3) CAROLINE ST GEORGE  
(4) HENRY ST GEORGE  
(5) KATHERINE ST GEORGE  
(AS DISCRETIONARY BENEFICIARIES UNDER  
THE WILL OF THE LATE EDWARD ST  
GEORGE)



**ORIGINATING SUMMONS**

TO: Lady Henrietta St George, Sarah St George, Caroline St George, Henry St George and Katherine St George of c/o Fortune Point, Spanish Main Drive, Grand Bahama, Bahamas.

LET THE DEFENDANTS, within 14 days after service of this Summons on them, counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, PO Box 495GT, George Town, Grand Cayman.

By this Summons, which is issued on the application of Lady Henrietta St George, James Fitzroy, Earl of Euston, and Christopher Cafferata (as executors of the Estate of the late Edward St George) of c/o Walkers, 87 Mary Street, Grand Cayman KY1-9001, Cayman Islands, the Plaintiffs seek the determination of the Court on the following questions, namely:

1. Whether the Plaintiffs may be authorised to take certain steps in relation to the Estate of Edward St George;
2. Provision may be made for the costs of this Application; and

3. Such further or other relief may be granted as this Honourable Court may think fit.

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

DATED the 5th day of October, 2007.

*Walkers*

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**WALKERS**

Attorneys at Law for the Plaintiffs

NOTE - This Summons may not be served later than four months beginning with that date unless renewed by order of the Court.

**IMPORTANT**

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

TO THE CLERK OF THE COURT

AND TO: The First to Sixth Defendants of c/o Fortune Point, Spanish Main Drive, Grand Bahama, Bahamas

TIME ESTIMATE for the hearing of this summons is 1 hour

This Originating Summons is issued by Walkers, Attorneys at Law, Walker House, 87 Mary Street, George Town, Grand Cayman KY1-9001, for the Plaintiffs whose address for service is care of the said Attorneys at Law.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 2007

IN THE MATTER OF: THE ESTATE OF THE LATE EDWARD ST GEORGE  
AND IN THE MATTER OF: ORDER 85 RULE 2 OF THE GRAND COURT RULES

BETWEEN: (1) LADY HENRIETTA ST GEORGE  
(2) JAMES FITZROY, EARL OF EUSTON  
(3) CHRISTOPHER CAFFERATA  
(AS EXECUTORS OF THE ESTATE OF THE  
LATE EDWARD ST GEORGE) PLAINTIFF

AND: (1) LADY HENRIETTA ST GEORGE  
(2) SARAH ST GEORGE  
(3) CAROLINE ST GEORGE  
(4) HENRY ST GEORGE  
(5) KATHERINE ST GEORGE  
(AS DISCRETIONARY BENEFICIARIES UNDER  
THE WILL OF THE LATE EDWARD ST  
GEORGE) DEFENDANT

**ACKNOWLEDGEMENT OF SERVICE  
OF WRIT OF SUMMONS**

If you intend to instruct an Attorney to act for you, give him this form **IMMEDIATELY**.

**Important.** Read the accompanying Delay may result in judgment being entered  
directions and notes for guidance carefully against a Defendant whereby he may have to  
before completing this form. If any information pay the costs of applying to set it aside.  
required is omitted or given wrongly, THIS  
FORM MAY HAVE TO BE RETURNED.

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1. State the full name of the Defendant by whom or on whose behalf the service of the Writ  
is being acknowledged.

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2. State whether the Defendant intends to contest the proceedings (*tick appropriate box*)

yes

no

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3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (*tick box*)

yes

no

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Service of the Writ is acknowledged accordingly

(Signed) \_\_\_\_\_

[Attorney] for

[Defendant in person]

Address for service:

**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 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.

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|---|
| Walkers<br>Attorneys at Law<br>Walker House<br>87 Mary Street<br>George Town<br>Grand Cayman KY1-9001<br><br>Ref: |
|---|

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

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**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 the Defendant or by the Defendant if acting in person.

After completion it must be delivered or sent by post to the Courts Office, PO Box 495GT, 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 instalments 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 Acknowledgment of Service and return it to the Court's 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 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 Court's office.