

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 554 OF 2008

IN THE MATTER OF THE GRAND COURT LAW (2006 REVISION)

AND IN THE MATTER OF THE GRAND COURT RULES, ORDER 24

BETWEEN: (1) WARDOUR TRADING LIMITED (In Liquidation)
(2) KENNETH A. ROBINSON

AND:

CORPORATE FILING SERVICES LIMITED

Plaintiffs

Defendant

EX PARTE ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before the Judge in Chambers, at the Law Court, George Town, Grand Cayman on the 14th day of January 2008, at 9:30 o'clock on the hearing of an application by the Plaintiff, Kenneth A. Robinson, in care of his Attorneys-at-Law, Conyers Dill & Pearman, P. O. Box 2681, Cricket Square, Hutchins Drive, George Town, Grand Cayman, Cayman Islands, KY1-1111 pursuant to Grand Court Rules, Order 24 for the following Orders:

1. That the Defendant do, within 7 (seven) days of service of this Order disclose to the Plaintiff's Attorneys-at-Law all the documents and information that it has in its custody and control relating to Hermitage Resources Limited ("Hermitage") its directors agents shareholders and ultimate beneficial owners; AND without limiting the generality hereof, disclose file notes, correspondence (whether by way of letter, email or facsimile) sent and received, notes of all consultations telephonic or otherwise held in connection with Hermitage and/or information disclosed to the Defendant for due diligence purposes and the name, address and all other contact details of the person or persons entity or entities on whose instructions it now acts or acted and, if not the same person persons entity or entities, the name address and all other contact details of the person or persons

entity or entities from whom the Defendant receives or received its remuneration and who is or was responsible for paying Hermitage's annual licence fees.

2. That the Defendant do, within 7 (seven) days of service of this Order by its proper officers file and serve on the Plaintiff's Attorneys-at-law an affidavit setting out the circumstances in which it obtained the information and documents referred to in paragraph 1 hereof, including identifying the names of such persons and any telephone or facsimile numbers, postal or email addresses or other contact information of such person persons entity or entities who were involved in the Defendant's acquisition possession or control of such documents and information together with all the documents identified and exhibited thereto.
3. That except for the purpose of obtaining legal advice in respect of its rights and obligations under this Order the Defendant must not directly or indirectly inform anyone of these proceedings or the contents of this Order, or warn anyone that proceedings have been or may be brought against him by the Plaintiff until 5 (five) working days after full compliance with the terms of this Order or alternatively until further order of the court and that the terms of this Order shall apply mutatis mutandis to the lawyers who might be instructed to provide legal advice to the Defendant.
4. That the Plaintiff be permitted to use the documents and/or information disclosed pursuant to this Order for the purposes of legal or arbitral proceedings in the Cayman Islands or elsewhere for the prosecution or enforcement of their claims or in any other proceedings for disclosure of documents or information to enable the Plaintiff to identify the wrongdoer or his wrongdoing.
5. That the Plaintiff shall through its Attorneys-at-Law serve a copy of the Ex Parte Originating Summons, the Affidavit of Kenneth A. Robinson and the exhibit thereto and this Order on the Defendant forthwith.
6. This Ex Parte Originating Summons is listed for further hearing on the ____ day of _____ 2008 before this Honourable Court.
7. Should the Defendant wish to vary or discharge all or part of this Order it may make such application on not less than 3 business days' notice to the Plaintiff's Attorneys-at-Law.

8. The Plaintiff is to pay the Defendant its reasonable costs occasioned by its compliance with this Order, such costs to be assessed if not agreed.

Dated the 25th day of November 2008.



Conyers Dill & Pearman
on behalf of the Plaintiff herein

TIME ESTIMATE: The estimated length of hearing of this Ex Parte Originating Summons is 1 hour.

This Ex Parte Originating Summons was issued by the Plaintiffs herein whose address is care of his Attorneys-at-Law, P. O. Box 2681, Cricket Square, Hutchins Drive, George Town, Grand Cayman, Cayman Islands, KY1-1111.

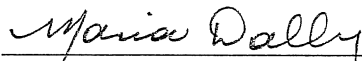
STATEMENT OF CLAIM

1. The Plaintiff claims CI\$31,430.07 from the Defendants for overseas medical expenses.
2. The Defendants signed a promissory note agreeing to repay the Cayman Islands Government for all expenses paid for John Phillip Cohen to be treated at the Kendall Regional Medical Center on or around the 13th February 2006.
3. John Phillip Cohen's overseas medical expenses amounted to CI\$31,380.07.
4. The Defendant signed an agreement to pay CI\$250.00 per month beginning 15th April 2006.
5. On the 3rd September 2008 a payment of CI\$50.00 was made towards this debt.
6. The Cayman Islands Health Services Authority and the Debt Recovery Unit communicated with the Defendant on numerous occasions, requesting payment.
7. Payments have not been made consistently and the last payment received was September 3rd 2008. The balance of CI\$31,430.07, still remains unpaid.

AND THE PLAINTIFF claims:

1. The sum of CI\$31,430.07.
2. Interest at the statutory rate of 3%
3. Process Server's fee
3. Fixed cost of CI\$500.00, alternatively costs to be assessed.

If, within the time for returning the Acknowledgment of Service, the Defendant pays the total amount claimed further proceedings will be stayed. The money must be paid to the Plaintiff.



On behalf of the Attorney-General

THIS WRIT was issued by The Attorney-General whose address for service is
c/o The Treasury Department, Government Administration Building, George Town,
Grand Cayman.

Acknowledgment of service of writ of summons (O.12, r.3)

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 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 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 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 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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS

Cause No. of 2007

BETWEEN: THE ATTORNEY-GENERAL

PLAINTIFF

AND: JOHN PHILLIP COHEN AND ANTHONY COHEN

DEFENDANTS

ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS

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

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside

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

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

Yes

No

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

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.

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

THE ATTORNEY-GENERAL
C/O THE TREASURY DEPARTMENT
GOVERNMENT ADMINISTRATION BUILDING
GEORGE TOWN
GRAND CAYMAN

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