

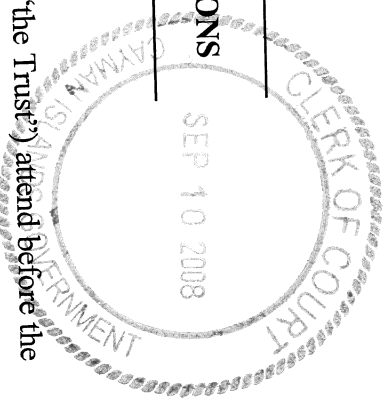
IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: <sup>400</sup> OF 2008

IN THE MATTER OF THE TRUSTS LAW (2007 REVISION)  
AND IN THE MATTER OF THE INFINITI CAPITAL TRUST



EX PARTE ORIGINATING SUMMONS



TAKE NOTICE that the Trustee of The Infiniti Capital Trust ("the Trust") attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman at \_\_\_\_\_ on the day of \_\_\_\_\_ 2008 for :-

1. Pursuant to Section 48 of the *Trusts Law (2007 Revision)*, advice and directions as to:-
  - (a) Whether or not the Trust ought to be terminated as at 30 September 2008;
  - (b) If the Trust is to be terminated as at 30 September 2008, whether the Trustee ought:-
    - (i) Retain out of the general pool of Trust assets sufficient monies for full provision for all costs, charges, liabilities, expenses, claims and demands incurred, made or apprehended in connection with the Trust's receipt of redemption proceeds from Bayou Offshore Fund Limited, or

(ii) Whether such monies ought to be retained out of the Trust assets which are allocated to the "The Growth Strategy Class Fund" only.

(c) Such other or alternative advice and directions in relation to the above matters as the Court deems appropriate.

2. An Order that the Trustee's costs of this application be paid from the Trusts' assets.

Dated the 10<sup>th</sup> day of September 2008

Ogier

**OGIER**

NOTE: It is not intended to serve this Ex parte Originating Summons on any party.

TIME ESTIMATE: The estimated length of the hearing of this summons is 2 hours.

This Summons was issued by Ogier whose address for service is Queensgate House, South Church Street, P.O. Box 1234, Grand Cayman KY1-1108, Cayman Islands.