

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. *60557*
OF 2008

IN THE MATTER of the Declaration of Trust dated 1 June 1979 and made by Maria Ernestina Bacardi y Gaillard and Roywest Trust Corporation (Cayman) Limited (which is known as the Cotorro Trust)

AND IN THE MATTER of section 72 of the Trusts Law (2007 Revision)

BETWEEN:

- (1) MARIA EUGENIA PESSINO DE ROTHWELL
(2) MARIANA PESSINO DE QUIRCH

and

- (1) ROTHSCHILD TRUST CAYMAN LTD
(2) ELENA GOMEZ DEL CAMPO DE LINDZON
(3) JERRY M LINDZON
(4) ELENA LAURA PESSINO DE BALMASEDA
(5) CAROLINA BERGAZ CREWS
(6) JUAN BERGAZ
(7) FRANCISCO BERGAZ
(8) LORENA CASAS
(9) SANTIAGO CASAS
(10) GONZALO CASAS
(11) CESAR BALMASEDA
(12) CAMILA BORJESSON (a minor)
(13) COSIMA BORJESSON (a minor)
(14) MANUELA CASAS (a minor)
(15) LIAM ROTHWELL-PESSINO (a minor)
(16) MARIA LUISA DEL CAMPO BACARDI (a minor)

Defendants

ORIGINATING SUMMONS

TO: ROTHSCHILD TRUST CAYMAN LTD of P.O. Box 10129, 5th floor Citrus
Grove, George Town, Grand Cayman, KY1 1206

AND TO: ELENA GOMEZ DEL CAMPO DE LINDZON of El Rocio, Rainbow
Road, Lyford Cay, the Island of New Providence, Bahamas and c/o
Ziva Robertson, Mourant, 3rd Floor Harbour Centre, George Town,
Grand Cayman, Cayman Islands

AND TO: **JERRY LINDZON** of El Rocio, Rainbow Road, Lyford Cay, Nassau,
Bahamas

AND TO: **ELENA LAURA PESSINO DE BALMASEDA** of Rue Forel 2, 1162 St
Prex, Switzerland

AND TO: **CAROLINA BERGAZ CREWS** of 124 W 60th Street, Apartment 32B,
New York, NY 10023, United States of America

AND TO: **JUAN BERGAZ** of c/o Piedras Vivas 10, Villafraanco del Castillo,
Villanueva de la Canada, 28692 Madrid

AND TO: **FRANCISCO BERGAZ** of 8200 SW 52nd Ave, Miami Fl 33141

AND TO: **LORENA CASAS** of Enrique d'Almonte 10, 28028 Madrid Spain

AND TO: **SANTIAGO CASAS** of Enrique d'Almonte 10, 28028 Madrid, Spain

AND TO: **GONZALO CASAS** of c/o Elena Pessino, Dr Arce 22, 28002 Madrid,
Spain

AND TO: **CESAR BALMASEDA** of c/o Elena Pessino, Dr Arce 22, 28002
Madrid, Spain

AND TO: **CAMILA BORJESSON (A MINOR)** of c/o Lorena Casas, Enrique
d'Almonte 10, 28028 Madrid, Spain

AND TO: **COSIMA BORJESSON (A MINOR)** of c/o Lorena Casas, Enrique
d'Almonte 10, 28028 Madrid, Spain

AND TO: **MANUELA CASAS (A MINOR)** of c/o Santiago Casas, Enrique
d'Almonte 10, 28028 Madrid, Spain

AND TO: **LIAM ROTHWELL-PESSINO** of 99 Old Stone Highway, East
Hampton, New York, United States of America, 11937

AND TO: **MARIA LUISA DEL CAMPO BACARDI (A MINOR)** of Villa Daiquirí,
38 Boulevard d'Italie, 98000 Monte Carlo, Principauté de Monaco

LET THE DEFENDANTS, Rothschild Trust Cayman Ltd, Elena Gomez del Campo
de Lindzon, Jerry Lindzon, Elena Laura Pessino de Balmaseda, Carolina Bergaz
Crews, Juan Bergaz, Francisco Bergaz, Lorena Casas, Santiago Casas, Gonzalo
Casas, Cesar Balmaseda, Camila Borjesson (a minor), Cosima Borjesson (a minor),
Manuela Casas (a minor), Liam Rothwell-Pessino (a minor) and Maria Luisa del
Campo Bacardi (a minor) within 28 days after service of this Originating Summons
on them, counting the day of service, return the accompanying acknowledgment of
service to the Court Office, P.O. Box 495 GT, George Town, Grand Cayman KY1-
1106, Cayman Islands B.W. I.

BY THIS ORIGINATING SUMMONS which is issued on the application of the Plaintiffs Maria Eugenia Pessino de Rothwell of 99 Old Stone Highway, East Hampton, New York, United States of America 11937 and Mariana Pessino de Quirch of 8200 S.W. 52 Avenue, Miami, Florida, United States of America 33143-8439, who are beneficiaries of the said Declaration of Trust ("the Settlement"), against the Defendants (whose addresses are given above and who in the case of the 1st Defendant is the sole trustee of the Trust and in the case of the other Defendants are interested under the Settlement), the Plaintiffs seeks the following relief:

1. An order of the Court approving on behalf of all minor unborn and unascertained beneficiaries of the Settlement an arrangement varying the trusts of the Settlement in the terms of a draft minute of order which the Plaintiffs intend to exhibit to an affidavit to be sworn by the first Plaintiff or in such other terms as the Court may think fit;
2. an order making provision for the costs of this application to be as provided in the said draft minute of order or in such other terms as the Court thinks fit;
3. such further or other relief as the Court thinks fit.

Dated November 2008



MAITLAND

Attorneys for the Plaintiff

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

NOTE: This Originating Summons may be served not later than 4 calendar months

(or if leave is required to effect notice out of the jurisdiction, 6 months) beginning with that date, unless renewed by order of the Court.

IMPORTANT: Directions for acknowledgment of service are given with the accompanying forms.

THIS ORIGINATING SUMMONS was issued by Maitland on behalf of the Plaintiffs whose address for service is 4th Floor, Harbour Place, George Town, Grand Cayman, Cayman Islands.

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BETWEEN:

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- (2) MARIANA PESSINO DE QUIRCH

and

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- (2) ELENA GOMEZ DEL CAMPO DE LINDZON
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- (16) MARIA LUISA DEL CAMPO BACARDI (a minor)

Plaintiffs

Defendants

ACKNOWLEDGMENT 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 directions and notes for guidance carefully before completing the 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.

- (1) ROTHSCHILD TRUST CAYMAN LTD
- (2) ELENA GOMEZ DEL CAMPO DE LINDZON
- (3) JERRY M LINDZON
- (4) ELENA LAURA PESSINO DE BALMASEDA
- (5) CAROLINA BERGAZ CREWS
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- (16) MARIA LUISA DEL CAMPO BACARDI (a minor)

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

<input type="checkbox"/>	<input type="checkbox"/>
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 appropriate box).

<input type="checkbox"/>	<input type="checkbox"/>
Yes	No

Service of the Writ is acknowledged accordingly.

Attorney for the Defendant

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 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.

Maitland
Attorneys-at-Law
PO Box 1034
Grand Cayman KY1-1102
Cayman Islands
(4th Floor, Harbour Place)

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

