

IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO: 116 OF 2009

BETWEEN:

EQUITABLE SYNERGY LTD

APPLICANT

AND:

PACIFIC ALLIANCE ASIA OPPORTUNITY FEEDER FUND LIMITED

RESPONDENT

ORIGINATING SUMMONS



LET ALL PARTIES CONCERNED attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the            day of            2009            at o'clock in the noon for the hearing of an application on the part of the Applicant for the following orders:

1. A Declaration that the relevant Notice Date in respect of the Redemption Notice submitted by the Applicant to the Respondent on or around 1<sup>st</sup> October 2008 in respect of all of the Class A Series 5 shares, which were subsequently redesignated as Class A Series 1 2009 shares held by the Applicant in the Respondent ("the Shares") is, on a proper construction of the Respondent's constitutional documents, the 31<sup>st</sup> March 2009.
2. An Order that the Respondent do redeem the Shares on 31<sup>st</sup> March 2009.





Notes on address for service

Attorney: where the Respondent is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Respondent may not act by a foreign attorney.

Respondent in person: where the Respondent 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 Applicant's Attorney (or by Applicant if suing in person) of his name, address and reference, if any, in the box below.

Campbells  
Attorneys-at-Law  
P.O. Box 884 GT  
4<sup>th</sup> Floor Scotia Centre  
George Town, Grand Cayman  
  
Ref: JRM/lc/16038

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

[Empty box for indorsement by Respondent's Attorney]

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE  
OF ORIGINATING SUMMONS**

The accompanying form of Acknowledgment of Service should be completed by an Attorney acting on behalf of the Respondent or by the Respondent 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.

**Notes for Guidance**

1. Each Respondent (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. If you wish to defend claims made in the originating summons, or intend to attend the proceedings and to participate in them so far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the acknowledgment of service.
3. For the purpose of calculating the period of 28 days for acknowledging service, a writ served on the Respondent personally is treated as having been served on the day it was delivered to him.
4. Where the Respondent 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 Originating Summons)".
5. Where the Respondent 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.
6. Where the Respondent 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.
7. Where the Respondent 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.
8. Where the Respondent is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
9. A Respondent acting in person may obtain help in completing the form at the Courts Office.