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IN THE GRAND COURT OF THE CAYMAN ISLANDS

21-05-03

CAUSE NO: 142/2002

BETWEEN:

LOUIS ROBERT BERRY, ALFRED BEVERLY BERRY AND
LORENZO HENRY BERRY
AS PERSONAL REPRESENTATIVES OF THE ESTATE OF IVY
VELONIE BERRY AS PERSONAL REPRESENTATIVE OF THE
ESTATE OF HILDRED STEWART

Plaintiffs

AND:

PAUL A. BODDEN

Defendant

BEFORE: THE HON. JUSTICE LEVERS

APPEARANCES:

Counsel for the Plaintiffs: Mr. Ward Sykes of Hunter & Hunter
Counsel for the Defendant: Mr. Kenneth Farrow of Quin & Hampson

Handwritten initials/signature

HEARD: 15th May 2003



RULING

This hearing incorporated two summonses. One by the Plaintiffs for a declaration that the Defendant is in contempt, striking out the defence, interlocutory judgment and production of a further and better list of document with affidavit in support. The other by the Defendants for the discharge of an injunction or suspension of the injunction.

The Plaintiffs attorney seeks a declaration that the Defendant is in contempt, without the Court holding a committal hearing and imposing any of the penal consequences which should or could ensue if the Defendant is found in

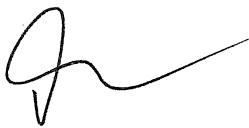
contempt. This is presumably to enable the Plaintiff to use the declaration at some later hearing.

The relief sought in my view is inappropriate and I do not therefore make the declaration.

The injunction was imposed by Consent of both parties, and therefore it should not be set aside. Whatever may be my own views or whether it should have been put in place initially, the facts, in this matter clearly indicate that if the injunction is not stayed, the Defendants stands to suffer irreparable damage. Any damage suffered by the Plaintiffs on the stay can be addressed in damages. I therefore order that the injunction now in place be stayed for 6 months from the date hereof.

On the Order of discovery, I order that the Defendant file a further and better list supported by affidavit with the proviso that the accounts date back only to the date of the issuance of the Writ.

Dated this 21 day of May 2003



P. Levers
Judge

