

MOURANT
OZANNES

THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

Before the Honourable Mr Justice Cresswell
Sitting on 13 July 2012



Cause No. FSD 58 of 2012 - P

BETWEEN:

- (1) CESAR HOTELCO (CAYMAN) LTD
- (2) CESAR PROPERTIES LTD
- (3) CONDOCO GRAND CAYMAN RESORT LTD
- (4) CONDOCO PROPERTIES LTD
- (5) ENDLESS SERVICE LTD

Plaintiffs

and

- (1) MICHAEL RYAN
- (2) ORION DEVELOPERS LTD
- (3) DECKHOUSES CONSTRUCTION COMPANY LTD
- (4) IRR LIMITED
- (5) ENDLESS SERVICE MANAGEMENT LTD
- (6) BLUETIP WATERSPORTS LTD

Defendants

ORDER

UPON the application by the Defendants of their Summons of 15 June 2012 and the Plaintiffs of their Summons of 6 July 2012

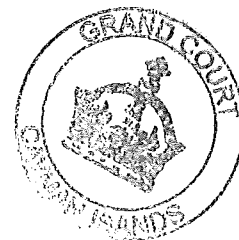
AND UPON hearing Counsel for the Plaintiffs and for the Defendants

IT IS HEREBY ORDERED THAT:

1. Plaintiffs to file and serve draft Reply within 7 days.
2. Defendants to serve further and better particulars of the Counterclaim as requested by the Plaintiffs in their request annexed to the Plaintiffs' Summons dated 6 July 2012, within 7

days. Specifically, further and better particulars are to be provided of requests: 33; 34; 35; 36; 37(d) and (e); 38; 39; 40; 41; 42; 43; 44; and 46.

3. With regard to paragraph 30 of the Plaintiffs' Amended Statement of Claim, having confirmed by their counsel that they will invite the court to draw the said inference, the Plaintiffs shall provide, within 7 days, particulars of all facts, matters, and overt acts relied upon in support of the said inference beyond those already pleaded.
4. With regard to paragraph 53 of the Plaintiffs' Amended Statement of Claim, having confirmed by their counsel that they will invite the court to draw the said inference, the Plaintiffs shall provide, within 7 days, particulars of all facts, matters, and overt acts relied upon in support of the said inference beyond those already pleaded, and particulars of the payments referred to, the money referred to, and to the company said to be entitled to the money under the Rental Programme.
5. The Plaintiffs to provide particulars under paragraphs 19 and 21 of the Plaintiffs' Amended Statement of Claim as to whether it is alleged that the Defendants or any of them are under a legal duty to provide the documents referred to (identifying the same by class) and, if so, giving particulars of all facts and matters relied upon in support of the allegation that the Defendants, or some of them, are under such legal duty, within 7 days.
6. Defendants to file and serve skeleton argument on the question whether the Receivers were validly appointed in terms of the Registered Land Law (2004 Revision) on or before 26 July 2012.
7. Paragraph 4 of the Order of this Honourable Court dated 1 June 2012 be amended such that discovery is to be completed by 27 July 2012.
8. Plaintiffs to file and serve Reply and Defence to Counterclaim within 14 days.
9. Defendants to serve such further and better particulars of the Defence as they accept the Plaintiffs are entitled to within 14 days.



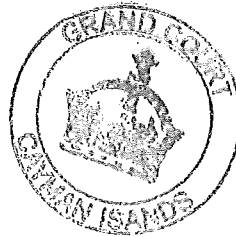
10. Plaintiffs to file and serve skeleton argument on the question whether the Receivers were validly appointed in terms of the Registered Land Law (2004 Revision) on or before Wednesday, 8 August 2012.
11. Defendants to file and serve skeleton argument in reply to Plaintiffs' skeleton argument on the question whether the Receivers were validly appointed in terms of the Registered Land Law (2004 Revision) on or before Friday, 10 August 2012.

Dated 13th July 2012

Filed 23rd July 2012

Cresswell J

The Honourable Justice Cresswell
Judge of the Grand Court



This Order was filed by Mourant Ozannes, Attorneys at Law for the Defendant, whose address for service is 94 Solaris Avenue, Camana Bay, PO Box 1348, Grand Cayman KY1-1108 (ref: 8000486/55497015/1).

Agreed as to form and content:

Mourant Ozannes

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Mourant Ozannes
Attorneys for the Plaintiffs

Maples and Calder

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Maples and Calder
Attorneys for the Defendants

