



IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD 130 OF 2021 (ASCJ)

IN THE MATTER OF AN APPLICATION UNDER SECTION 48 OF THE TRUSTS ACT
(2021 REVISION)

AND IN THE MATTER OF HSBC TRUSTEE (C.I.) LIMITED AS TRUSTEE OF THE H
SETTLEMENT

ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman, Cayman Islands on the day of 2021 at a.m./p.m. upon an application by HSBC Trustee (C.I.) Limited (the **Trustee**) in its capacity as trustee of The H Settlement, c/o Mourant Ozannes, 94 Solaris Avenue, Camana Bay, P.O Box 1348, Grand Cayman, KY1-1108, for the following orders and directions:

1. Preliminary orders that:
 - (a) These proceedings shall be heard *in camera*;
 - (b) Only versions of the writ of summons and any order, ruling or judgment which have been anonymised and/or redacted to protect the identity of the Trust known as the H Settlement (the **Trust**) and the beneficiaries of the Trust shall be placed on the public court registers; and
 - (c) The court file shall be sealed and open for inspection only to the parties, except as permitted by further order of the Court.

2. Preliminary directions as to the future conduct of the proceedings, namely:
 - (a) as to which beneficiaries of the Trust, or any other persons, should be joined as parties to the proceedings;
 - (b) as to the manner in which the Trustee shall effect service of the parties joined to the proceedings; and
 - (c) as to whether any parties joined to the proceedings shall be represented by the same attorney or firm of attorneys (**Representation Orders**).
3. An order pursuant to Order 11 of the Grand Court Rules that the Trustee has leave to serve the Writ of Summons out of the jurisdiction of this Court on the beneficiaries to whom the Court has directed be joined as parties to the proceedings.
4. The Court's 'blessing' of the Trustee's proposed distribution of the Trust Fund and the subsequent termination of the Trust.
5. An order that the Trustee's costs of and incidental to these proceedings shall be paid out of the Trust Fund on an indemnity basis.
6. An order as to the order in which any such matters should be determined by the Court.
7. Such further orders, directions or other relief as the Court sees fit.

Filed this 30th day of July 2021
Dated this 30th day of July 2021



Mourant Ozannes
Attorneys-at-Law for the Trustee

TO: The Clerk of the Court

TIME ESTIMATE: 1 hour

AND LET THE RESPONDENTS within 14 days after service of this summons on them counting the day of service, return the accompanying Acknowledgment of Service to the Courts office.

- NOTE:**
- (1) 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.
 - (2) If the Defendants do not acknowledge service, judgment may be given or made against, or in relation to him or her, as the Court may think just and expedient.

IMPORTANT

Directions for Acknowledgement of Service are given with the accompanying form.

THIS **ORIGINATING SUMMONS** was filed by Mourant Ozannes, on behalf of the Trustee, whose address for service is 94 Solaris Avenue, Camana Bay, PO Box 1348, Grand Cayman KY1-1108, Cayman Islands (Ref: 8033917/74887640).

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FINANCIAL SERVICES DIVISION

CAUSE NO. FSD 130 OF 2021

IN THE MATTER OF AN APPLICATION UNDER SECTION 48 OF THE TRUSTS ACT
(2021 REVISION)

AND IN THE MATTER OF THE TRUSTEE OF THE H SETTLEMENT

**ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING 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 this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

2. State whether the Defendant intends to contest or otherwise participate in the proceedings (tick appropriate box)

yes no

Service of the Originating Summons is acknowledged accordingly

(Signed).....

Attorney for:

Address for service:

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.

Please complete overleaf

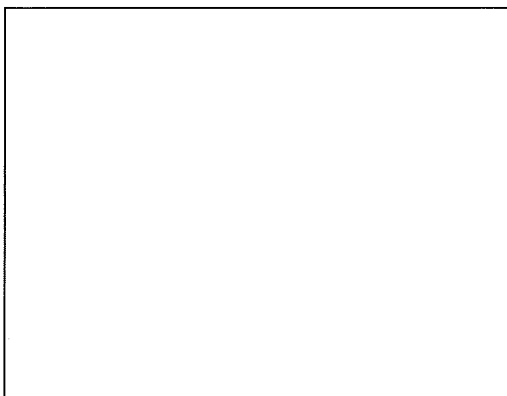
Indorsement by plaintiff's Attorney (or by plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Mourant Ozannes
94 Solaris Avenue,
Camana Bay,
PO Box 1348,
Grand Cayman, KY1-1108,
Cayman Islands

Ref: JT/8048409

Mourant Ozannes, attorneys at law for the applicant

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



No. 9

Acknowledgement of service of originating summons (0.10, r.5)**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 Defendant or by the Defendant 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 Defendant (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 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
4. Where the Defendant 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 Defendant 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 Defendant 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 Defendant 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 Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
9. A Defendant acting in person may obtain help in completing the form at the Courts Office.