



**IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION**

CAUSE NO: FSD

IN THE MATTER OF THE INSURANCE ACT, 2010

BETWEEN:

(1) PREMIER ASSURANCE GROUP SPC LTD. (IN OFFICIAL LIQUIDATION)
PLAINTIFF

AND:

**(1) PROVIDENCE INSURANCE COMPANY I.I. FOR AND ON BEHALF OF
PREMIER ASSURANCE SEGREGATED PORTFOLIO PUERTO RICO SAP**
(2) PREMIER ASSURANCE GROUP LLC
(3) SABLE TRUST LIMITED (AS TRUSTEE OF THE PREMIER TRUST)
DEFENDANTS

ORIGINATING SUMMONS

TO:

- (1) Premier Assurance Segregated Portfolio Puerto Rico SAP**, 954 Ave Ponce De Leon, Suite 802, San Juan, PR 00907, Puerto Rico (mailing address PO Box 13273 SAN JUAN, PR 00908-3273)
- (2) Premier Assurance Group LLC**, Bello & Martinez PLLC, 2850 Douglas Road, #303, Coral Gables, Florida 331134, United States of America
- (3) Sable Trust Limited (as trustee of the Premier Trust)**, Sea Meadows House, P.O. Box 116, Road Town, Tortola, British Virgin Islands

LET THE DEFENDANTS, within 14 days after service of this Summons on them (or, if leave is required to effect service out of the jurisdiction on a defendant, within 28 days after service of this Summons on that defendant), counting the day of service, return the accompanying Acknowledgment of Service to the Courts office, P.O. Box 495G, George Town, Grand Cayman.

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By this Summons, which is issued on the application of Premier Assurance Group SPC Ltd. (in Official Liquidation) of KPMG, SIX Cricket Square, Grand Cayman KY1-1006, Cayman Islands, the Plaintiff seeks the following orders and relief:

1. declarations in respect of the purported transfer of the interests of 3,221 plan participants (the "**Affected Participants**") holding insurance policies referable to the Plaintiff's segregated portfolio, Premier Assurance Segregated Portfolio ("**PASP**"), on or about 15 June 2020 to the First Defendant (the "**Purported Transfer**") as set out in the First Affidavit of Jason Robinson sworn on 2 August 2021, that:
 - (a) the Purported Transfer of the interests of the Affected Participants to the First Defendant constituted a transfer of the long term business of any insurer to another insurer within the meaning of Section 31(1) of the Insurance Act, 2010 (the "**Insurance Act**");
 - (b) the Purported Transfer of the interests of the Affected Participants to the First Defendant constituted a change in the Plaintiff's approved business plan and the information supplied in the Plaintiff's approved licence application within the meaning of Section 8(1)(a) of the Insurance Act; and
 - (c) as a result of the Plaintiff failing to seek or obtain the approval of the Cayman Islands Monetary Authority for the Purported Transfer in accordance with Sections 8(1)(a) and/or Section 31(1) of the Insurance Act, the Purported Transfer (alternatively, the surrender of the insurance policies in respect of the Affected Participants) was void ab initio, void, of no legal effect or voidable.
2. that this Honourable Court make all further orders and directions as this Honourable Court may think fit, including (if necessary) directions as to service and/or notification of these proceedings; and

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3. an order that the Defendants pay the Plaintiff's costs of the Cause.

If a Defendant does not acknowledge service, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

DATED the 2nd day of August 2021

Walkers

WALKERS

Attorneys-at-Law for the Plaintiff

NOTE - This Summons may not be served later than 4 calendar months (or, if leave is required to effect service 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 form.

This Originating Summons was issued by Walkers, Attorneys-at-Law, 190 Elgin Avenue, George Town, Grand Cayman, Cayman Islands, KY1-9001 for the Plaintiff whose address for service is care of their said Attorneys-at-Law.

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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 (or, if leave is required to effect service out of the jurisdiction, 28 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.

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- 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.

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(2) PREMIER ASSURANCE GROUP LLC

(3) SABLE TRUST LIMITED (AS TRUSTEE OF THE PREMIER TRUST)

DEFENDANTS

ACKNOWLEDGMENT OF SERVICE OF ORIGINATING SUMMONS

If you intend to instruct an Attorney to act for you, give him/her 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) _____

[Attorneys-at-law for the Defendant] / [Defendant in person]

Address for service:

Please complete overleaf

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.

Walkers
190 Elgin Avenue
George Town
Grand Cayman KY1-9001
Cayman Islands
(RB/CK/DB/166751)

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