



**GRAND COURT OF THE CAYMAN ISLANDS**

**FINANCIAL SERVICES DIVISION**

**CAUSE NO. FSD OF 2021 ( )**

**BETWEEN:**

**KEITH HARRELL**

**Plaintiff**

**AND**

**S3 ASSURANCE COMPANY**

**First Defendant**

**S3 MANAGEMENT GROUP, LLC**

**Second Defendant**

**JARED SMITH**

**Third Defendant**

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**WRIT OF SUMMONS**

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TO: S3 Assurance Company, c/o USA Risk Group, Queensgate House, 113 South Church Street, Grand Cayman;

TO: S3 Management Group LLC, 1216 N. Central Expressway, Suite 202, McKinney, Texas;

TO: Jared S. Smith, 781 Timberwood Lane, Fairview, Texas, 75069.

This Writ of Summons was issued by Ogier, Attorneys-at-Law for the Plaintiff, whose address for service is:  
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (MKS/SKE/426905.00001)

**THIS WRIT OF SUMMONS** has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

Within 14 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495, George Town, Grand Cayman KY1-1106, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this                      day of November 2021.

**NOTE** - This Writ 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 the date of issue unless renewed by order of the Court.

#### **IMPORTANT**

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

This Writ of Summons was issued by Ogier, Attorneys-at-Law for the Plaintiff, whose address for service is:  
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (MKS/SKE/426905.00001)

**GENERAL INDORSEMENT**

The Plaintiff claims derivatively on behalf of the First Defendant against the Second and Third Defendants an accounting of profits and/or equitable compensation for breach of fiduciary duties and/or damages for breach of contract in relation to their conduct respectively as agent for and director of the First Defendant and against the Second and Third Defendants for an accounting of profits they each knowingly received arising from breaches of their fiduciary duties and/or a declaration that any such profits are held in equity for the First Defendant, in connection with determining a fair valuation of the First Defendant, and/or for further or other relief and for costs.

Dated this 1<sup>st</sup> day of November 2021.



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**Ogier**

Attorneys for the Plaintiff

This Writ of Summons was issued by Ogier, Attorneys-at-Law for the Plaintiff, whose address for service is:  
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (MKS/SKE/426905.00001)

**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 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.
- 3 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 Writ of Summons)”.
- 4 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 of paragraph 1 of the description “Partner in the firm of \_\_\_\_\_” after his name.
- 5 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.
- 6 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 his behalf.
- 7 Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
- 8 A Defendant acting in person may obtain help in completing the form at the Courts Office.

This Writ of Summons was issued by Ogier, Attorneys-at-Law for the Plaintiff, whose address for service is:  
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (MKS/SKE/426905.00001)

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD OF 2021 ( )

BETWEEN:

KEITH HARRELL

Plaintiff

AND

S3 ASSURANCE COMPANY

First Defendant

S3 MANAGEMENT GROUP, LLC

Second Defendant

JARED SMITH

Third Defendant

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ACKNOWLEDGEMENT OF SERVICE OF  
WRIT OF SUMMONS

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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.

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.  
**[Insert name] the [First/Second/Third] Defendant**

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)  
 **yes**                       **no**

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box).  
 **yes**                       **no**

Service of the Writ is acknowledged accordingly.

\_\_\_\_\_  
**[Insert name]**  
[Attorney for the] [First/Second/Third] Defendant

**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.

Ogier LLP  
Attorneys-at-law  
89 Nexus Way  
Camana Bay  
Cayman Islands  
426905.01/MKS/SK/MG

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

[Empty box for Defendant's Attorneys indorsement]