



GRAND COURT OF THE CAYMAN ISLANDS

FINANCIAL SERVICES DIVISION

CAUSE NO. FSD OF 2023 ()

IN THE MATTER OF THE COMPANIES ACT (2023 REVISION)

BETWEEN

THE ARMAND HAMMER FOUNDATION, INC.

PLAINTIFF

AND

HAMMER INTERNATIONAL FOUNDATION

DEFENDANT

ORIGINATING SUMMONS

LET THE DEFENDANT, Hammer International Foundation, c/o Ogier Global (Cayman) Limited, 89 Nexus Way, Camana Bay, Grand Cayman, Cayman Islands KY1-9009, before a Judge in Chambers at the Law Courts, George Town, Grand Cayman on the day of **16 MAY** 2023 at **9:30** am / ~~pm~~ upon an application by the Plaintiff for the following orders and/or declarations:

- 1) Pursuant to section 46 of the Companies Act (2023 Revision) (**Companies Act**), the Register of Members of Hammer International Foundation (**HIF**) be rectified forthwith to clearly identify:

- i) the removal of The Armand Hammer Foundation, Inc. (California) as a member with full voting rights with effect from 25 June 2021;
 - ii) its replacement by The Armand Hammer Foundation, Inc. (Florida) (**AHF FL**) as a member with full voting rights as of 25 June 2021.
- 2) A declaration that AHF FL is the only member of HIF with voting rights in accordance with HIF's Articles of Association and has been the only such member of HIF since 25 June 2021.
- 3) A declaration that HIF's directors as of 29 March 2023 are correctly reflected on the Register of Directors and Officers dated 12 April 2023, namely:
 - i) Viktor Hammer
 - ii) Jim Fraser
 - iii) Peter Sansone (together with Viktor Hammer and Jim Fraser, the **Current Directors**)
- 4) A declaration that the following were never properly appointed as directors and/or officers of HIF and/or, to the extent that they were so appointed, they were validly removed from all positions as directors and/or officers of HIF as of 29 March 2023:
 - i) Rex Alexander
 - ii) Misty Hammer
 - iii) Mark Alfano
 - iv) Jeff Katofsky

- v) Raisha Park
- vi) Cecil Kyte
- vii) Alexander Menzel

- 5) A declaration that the persons listed above at paragraph 3 as directors of HIF are the only persons authorised to act on behalf of HIF and/or to give instructions on behalf of HIF.
- 6) An order that HIF shall pay AHF FL's costs of and occasioned by this application on the indemnity basis to be taxed if not agreed.
- 7) Such further or other orders as the Court deems appropriate in the circumstances.

Dated 4 May 2023

Filed 4 May 2023

Collas Crill

Collas Crill

Attorneys-at-Law for the Plaintiff

TO: The Registrar of the Financial Services Division

TIME ESTIMATE: 2 hours

NOTES:-

- (1) 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 the above date unless renewed by order of the Court.
- (2) If a Defendant does not attend personally or by that Defendant's attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient.

IMPORTANT

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

This **Originating Summons** was issued by Collas Crill, Attorneys-at-Law for and on behalf of the Plaintiff, whose address for service is that of its said attorneys, Floor 2, Willow House, Cricket Square, George Town, PO Box 709, Grand Cayman, KY1-1107, Cayman Islands.