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IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD 392 OF 2024 ( )

BETWEEN:

EQUITE CAPITAL PTE LIMITED

Plaintiff

AND

(1) FITCH RATINGS, INC. (A COMPANY INCORPORATED IN DELAWARE, UNITED STATES OF AMERICA)

(2) FITCH RATINGS LTD (A COMPANY INCORPORATED IN THE UNITED KINGDOM)

Defendants

WRIT OF SUMMONS

TO: **Fitch Ratings, Inc**, 33 Whitehall Street, New York, NY 10004, United States of America and c/-C/T Corporation System at 28 Liberty Street, New York, NY 10005, United States of America

Fitch Ratings Ltd, 30 North Colonnade, London, E14 5GN, United Kingdom

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 28 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 495G, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

THIS WRIT was issued by Carey Olsen, attorneys for the Plaintiff, whose address for service is First Floor, Willow House, Cricket Square, Grand Cayman, KY1-1001, Cayman Islands (ref: PS/1074709.0001).

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 27th day of December 2024.

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.

GENERAL ENDORSEMENT

The Plaintiff claims, as assignee of Bear Stearns High-Grade Structured Credit Strategies Master Fund Ltd. (now dissolved) and the Bear Stearns High-Grade Structured Credit Strategies Enhanced Leverage Master Fund Ltd. (now dissolved) (together, the "**Cayman Funds**"), on behalf of itself and, pursuant to Order 15, rule 12 of the Grand Court Rules (1995 Revision), on behalf of persons with the same interest in these proceedings ("**Group Members**"), as follows:

Declarations, damages and ancillary relief for the deceit of the Defendants in making representations when assigning credit ratings to certain collateralised debt obligations ("**Claim CDOs**")("**Rating Representations**") that the Cayman Funds and/or Group Members acquired on or after 15 April 2005, which Rating Representations the Defendants knew were false or alternatively knew there were no reasonable grounds to make the Rating Representations or alternatively were recklessly indifferent to the falsity or lack of reasonable grounds for the Rating Representations.

Declarations, damages and ancillary relief for the Defendants causing loss by unlawful means in making the Rating Representations with the knowledge the Defendants had.

THIS WRIT was issued by Carey Olsen, attorneys for the Plaintiff, whose address for service is First Floor, Willow House, Cricket Square, Grand Cayman, KY1-1001, Cayman Islands (ref: PS/1074709.0001).

AND THE PLAINTIFF claims on its own behalf and on behalf of Group Members:

1. a declaration that the Plaintiff and Group Members who had suffered loss as a result of the deceit and/or the causing loss by unlawful means of the Defendants are entitled to damages;

2. damages for deceit and/or for the causing of loss by unlawful means;

3. costs; and

4. interest on all damages and costs.

Dated this 27th day of December 2024

CAREY OLSEN

Attorneys-at-Law for the Plaintiff

THIS WRIT was issued by Carey Olsen, attorneys for the Plaintiff, whose address for service is First Floor, Willow House, Cricket Square, Grand Cayman, KY1-1001, Cayman Islands (ref: PS/1074709.0001).

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE

OF WRIT OF SUMMONS

1 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, PO Box 495G, George Town, Grand Cayman, KY1-1106, Cayman Islands.

2 A Defendant who states in the Defendant's Acknowledgment of Service that the Defendant intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve the Defendant's Defence within the appropriate time, the Plaintiff may enter judgment against the Defendant without further notice.

3 A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that the Defendant intends to apply for a stay, execution will be stayed for 14 days after the Defendant's Acknowledgment, but the Defendant must, within that time, issue a Summons for a stay of execution, supported by an affidavit of the Defendant's means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

See overleaf for Notes for Guidance

THIS WRIT was issued by Carey Olsen, attorneys for the Plaintiff, whose address for service is First Floor, Willow House, Cricket Square, Grand Cayman, KY1-1001, Cayman Islands (ref: PS/1074709.0001).

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 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 the Defendant.

3 Where the Defendant is sued in a name different from the Defendant's own, the form must be completed by the Defendant 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 in paragraph 1 of the description "Partner in the firm of (.....)" after that Partner's name.

5 Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN THAT PERSON'S OWN, the form must be completed by the Defendant with the addition in paragraph 1 of the description "trading as (.....)" after the Defendant's 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 its 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 was issued by Carey Olsen, attorneys for the Plaintiff, whose address for service is First Floor, Willow House, Cricket Square, Grand Cayman, KY1-1001, Cayman Islands (ref: PS/1074709.0001).

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(2) FITCH RATINGS LTD (A COMPANY INCORPORATED IN THE UNITED KINGDOM)

Defendants

ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS

If you intend to instruct an Attorney to act for you, give that Attorney 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.

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 the Defendant 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

Signed.....

(Attorney for)

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, the Defendant must give the Defendant's post office box number and the physical address of the Defendant's residence or, if the Defendant does not reside in the Cayman Islands, the Defendant must give an address in Grand Cayman where communications for the Defendant should be sent. In the case of a limited company, "residence" means its registered or 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.

Carey Olsen
First Floor Willow House
Cricket Square
Grand Cayman KY1-1001
Cayman Islands
(ref: PS/1074709.0001).

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

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