



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

CAUSE No. FSD of 2025

BETWEEN:

**(1) MV CAYMAN LTD (IN OFFICIAL LIQUIDATION)
(2) MV ADVISORY LTD (IN OFFICIAL LIQUIDATION)**

Plaintiffs

-AND-

**(1) JONATHAN MURPHY
(2) HUGH HART
(3) HOWARD SITZER**

Defendants

WRIT OF SUMMONS

TO: Jonathan Murphy
George Town,
Grand Cayman

And

TO: Hugh Hart
South Sound,
Grand Cayman

And

TO: Howard Sitzer
Israel

THIS **WRIT OF SUMMONS** has been issued against you by the above-named Plaintiffs 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, Grand Cayman KY1-1106,

Cayman Islands the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement of Service within the time stated, or if you return the Acknowledgment of Service without stating therein your 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 13th day of June 2025

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.

See overleaf for particulars of the Plaintiffs' claim

GENERAL INDORSEMENT

1. The First Plaintiff, MV Cayman Ltd (In Official Liquidation) (“MVC”), is a company incorporated in the Cayman Islands on 15 May 2015 under the name HHG Cayman Ltd (company # 299914). MVC was placed into Official Liquidation by order of the Grand Court on 25 October 2022. The Joint Official Liquidators of MVC are Russell Homer and Karen Scott of Chris Johnson Associates Ltd., Elizabethan Square, 80 Shedden Road, PO Box 2499, George Town, KY1-1104, Cayman Islands.
2. The Second Plaintiff, MV Advisory Ltd (In Official Liquidation) (“MVA”), was incorporated in the Cayman Islands on 11 October 2017 (company # 327944). MVA was placed into Official Liquidation by order of the Grand Court on 27 October 2020. The Joint Official Liquidators of MVA are Russell Homer and Karen Scott of Chris Johnson Associates Ltd., Elizabethan Square, 80 Shedden Road, PO Box 2499, George Town, KY1-1104, Cayman Islands, who were appointed on 14 March 2022, replacing Eleanor Fisher and Tammy Fu of Ernst and Young, the previous Joint Official Liquidators.
3. The Defendants at all material times were directors of MVC. The First Defendant was at all material times the sole director of MVA.
4. The Plaintiffs allege that the Defendants, in breach of their statutory and fiduciary duties, wrongfully:
 - 4.1. caused or permitted MVC and/or MVA to enter financings and guarantee arrangements procured by misrepresentation and/or deceit;
 - 4.2. misapplied corporate funds by preferring one creditor over others;
 - 4.3. failed to maintain proper accounting records;
 - 4.4. made and/or authorized unlawful distributions or returns of capital;
 - 4.5. wrongfully continued trading while insolvent or while insolvency was unavoidable; and
 - 4.6. carried on the business of MVC and/or MVA with intent to defraud their creditors and/or for a fraudulent purpose and that the Defendants were knowingly a party to that conduct.

5. The Plaintiffs claim the Defendants breached their statutory and fiduciary duties as directors of MVC and/or MVA and further claim in accordance with s. 147 of the Companies Act (2025 Revision) that the Defendants be required to contribute to the assets of the Plaintiffs in such amount as the Court thinks fit. The Plaintiffs intend to pursue any section 147 relief within the liquidation proceedings; this writ is issued protectively to preserve limitation in respect of all causes of action.
6. The Plaintiffs seek:
- (a) damages and/or equitable compensation;
 - (b) restitution and/or an account including repayment of any unlawful distribution;
 - (c) contribution under section 147;
 - (d) interest pursuant to section 34 of the Judicature Act (2021 Revision);
 - (e) costs; and
 - (f) such further or other relief as the Court deems just.

Dated this 13th day of June 2025

Broadhurst

Broadhurst LLC

Attorneys-at-Law for the Plaintiffs

This Writ of Summons is filed by Broadhurst LLC, Attorneys-at-Law for the Plaintiff, whose address for service is 4th Floor Monaco Towers, 54 Edward Street, George Town, Grand Cayman, Cayman Islands.

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Plaintiffs

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**(1) JONATHAN MURPHY
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Defendants

**ACKNOWLEDGEMENT OF SERVICE
OF WRIT OF 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.

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

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- | | |
|----|--|
| 1. | State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged. |
|----|--|
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- | | |
|----|--|
| 2. | State whether the Defendant intends to contest the proceedings (<i>tick appropriate box</i>) |
| | 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 (<i>tick box</i>) |
| | Yes [☐] No [☐] |
-

Service of the Writ is acknowledged accordingly.

(Signed) _____

[Attorney] for

[Defendant in Person]

Address for service:

Please see 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 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 or principal office.

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

BROADHURST LLC.
4th Floor, Monaco Towers
54 Edwards Street
George Town
Cayman Islands

Endorsement by Defendants' Attorney (or by the Defendant if suing in person) of his name, address and reference, if any, in the box below.

**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.
2. After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.
3. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a Defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).
4. 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.
5. 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.
6. If the Defendant fails to serve his Defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.
7. 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 he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

See over for notes for guidance.

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 in 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, he must complete the form 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 authorized 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, an Attorney acting for a guardian ad litem must complete the form.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.