

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

M-INVEST LIMITED (IN VOLUNTARY
LIQUIDATION)

and

PETER D. ANDERSON and GRAHAM ROBINSON
solely in their capacities as liquidators of M-INVEST
LIMITED (IN VOLUNTARY LIQUIDATION),

Plaintiffs,

– against –

ERNST & YOUNG LLP,

Defendant.

Index No. _____/2011

SUMMONS WITH NOTICE

TO THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance, on plaintiffs’ attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

TAKE NOTICE that the nature of this action is for negligence, professional malpractice, and breach of contract in connection with audits performed on plaintiff M-Invest Limited’s annual financial statements for each of 2003, 2004, 2005, 2006 and 2007. These

claims are either direct or based on theories of respondeat superior, agency and alter ego. The relief sought is the recovery of money damages in an amount not less than \$900,000,000 plus pre-judgment interest together with appropriate costs and attorneys' fees. Upon your failure to appear, judgment will be taken against you by default for the sum of \$900,000,000, with interest from the date the 2003 audit opinion was issued, and the costs of this action.

Venue in New York County is proper under CPLR 503 (a) because defendant Ernst & Young LLP resides in New York County.

Dated: New York, New York
December 4, 2011

FRIEDMAN KAPLAN SEILER & ADELMAN LLP

/s/ Eric Seiler

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To:

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