

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

ORIGINAL

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 Amaranth LLC and :
 Amaranth Advisors L.L.C., :
 :
 : Plaintiffs, :
 :
 vs. :
 :
 Touradji Capital Management LP, :
 Touradji Global Resources Master Fund, Ltd., :
 Paul Touradji, Paul Crone, Thomas Dwan, :
 and John Does 1-20, :
 :
 : Defendants. :
 ----- X

Index No. **09602885**
 Date Index No. Purchased:
 Plaintiffs designate New York County as
 the place of trial.
 The basis of the venue is CPLR §§ 501
 & 503.
SUMMONS WITH NOTICE

FILE
 SEP 18 2009
 COUNTY CLERKS OF
 NEW YORK

To the above-named Defendants:

YOU ARE HEREBY SUMMONED and required to appear in this action by serving a copy of your notice of appearance upon the undersigned within twenty (20) days after the service of this summons, exclusive of the day of service, or within thirty (30) days after service is complete, if this summons is not personally delivered to you within the state of New York.

Take notice that the object of this action, and the relief sought, is to recover monetary damages available under applicable law and to be proven at trial for causes of action including but not limited to:

- 1) Breach of contract, against all defendants, including but not limited to breach of the agreement dated September 20, 2006, between Amaranth Advisors L.L.C., on behalf and for the benefit of affiliated entities including Amaranth LLC, and Touradji Capital Management LP regarding the treatment of proprietary and confidential information, breach of the agreement dated September 28, 2006, between Amaranth LLC and

Touradji Capital Management LP and Touradji Global Resources Master Fund, Ltd., regarding the transfer by Amaranth LLC of its base metals portfolio, and breach of any other agreements, including but not limited to oral agreements, regarding the purchase and transfer of the base metals portfolio of Amaranth LLC.

- 2) Unjust enrichment, against all defendants, under the common law of the states of New York and Connecticut, to recover profits obtained by defendants through improper trading practices and misuse of plaintiffs' proprietary and confidential information.
- 3) Misappropriation of trade secrets, against all defendants, under the common law of the state of New York and under the Connecticut Uniform Trade Secrets Act, including but not limited to the misappropriation of confidential and proprietary trade secrets and trading strategies related to the base metals portfolio of Amaranth LLC.
- 4) Unfair competition, against all defendants, under New York common law, including through misappropriation of confidential and proprietary information disclosed pursuant to the agreement dated September 20, 2006.
- 5) Unfair and deceptive practices, against all defendants, under the Connecticut Unfair Trade Practices Act, including through misrepresentations in connection with the disclosure, transfer and trading of positions comprising and related to the base metals portfolio of Amaranth LLC and the misappropriation of confidential and proprietary information disclosed pursuant to the agreement dated September 20, 2006 restricting the use of such information.
- 6) Fraud, against Paul Touradji and Touradji Capital Management LP, under the common law of the states of New York and Connecticut, including in the inducement of agreements to disclose confidential and proprietary information and to transfer the base metals portfolio of Amaranth LLC and in connection with matters related to the base metals portfolio but extraneous and collateral to the parties' agreements.
- 7) Breach of the duty of good faith and fair dealing, against Paul Touradji and Touradji Capital Management LP, under the common law of the states of New York and Connecticut, arising from, among other things, defendants' attempt to deprive Amaranth LLC of the benefit of agreements related to its base metals portfolio and defendants' demands for consideration in excess of the applicable agreements.

In case of your failure to appear, judgment will be taken against each of you jointly and severally, by default, for three hundred fifty million dollars (\$350,000,000.00), together with costs and disbursements of this action.

Venue is based upon contract and upon the addresses of Touradji Capital Management LP, 101 Park Avenue, 48th Floor, New York, New York, 10178; Paul Touradji, 92 Laight Street, Apartment 7A, New York, New York 10013; Paul Crone, Touradji Capital Management LP, 101 Park Avenue, 48th Floor, New York, New York, 10178; and Thomas Dwan, Touradji Capital Management LP, 101 Park Avenue, 48th Floor, New York, New York, 10178.

Dated: New York, New York
September 18, 2009

DEBEVOISE & PLIMPTON LLP

By: 

Mark P. Goodman
Shannon Rose Selden
Corey S. Whiting
919 Third Avenue
New York, New York 10022
(212) 909-6000

Counsel to Amaranth LLC and Amaranth
Advisors L.L.C.

To:

Touradji Capital Management LP
101 Park Avenue
48th Floor
New York, NY 10178

Paul Touradji
92 Laight Street
Apartment 7A
New York, NY 10013

Paul Crone
Touradji Capital Management LP
101 Park Avenue
48th Floor
New York, NY 10178

Touradji Global Resources
Master Fund, Ltd.
c/o Touradji Capital
Management LP
101 Park Avenue
48th Floor
New York, NY 10178

Thomas Dwan
Touradji Capital
Management LP
101 Park Avenue
48th Floor
New York, NY 10178

John Does 1-20
Touradji Capital Management LP
101 Park Avenue
48th Floor
New York, NY 10178

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

Amaranth LLC and Amaranth Advisors L.L.C.,

Plaintiffs,

-against-

Touradji Capital Management LP, Touradji Global
Resources Master Fund, Ltd., Paul Touradji, Paul Crone,
Thomas Dwan, and John Does 1-20,

Defendants.

SUMMONS WITH NOTICE

DEBEVOISE & PLIMPTON LLP

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