

mpbells

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

FSD NO: 147 OF 2011-PCJ

BETWEEN:

ASSELLUS FINANCE LTD

PLAINTIFF

AND:

**(1) MILLENNIUM BCP BANK & TRUST
(2) BANQUE PRIVÉE BCP (SUISSE) SA
(3) BANCO COMERCIAL PORTUGUÉS, SA**

DEFENDANTS

**BEFORE THE HONOURABLE JUSTICE CRESSWELL
6 AUGUST 2012**

ORDER

UPON hearing the First Defendant's summons dated 27 June 2012

AND UPON reading the affidavits of Nancy Jean Saur and Callum James Keith McNeil sworn herein

AND UPON hearing Counsel for the First Defendant

AND UPON Counsel for the First Defendant undertaking to serve copies of the said affidavits on the Plaintiff when serving this Order

IT IS ORDERED THAT:

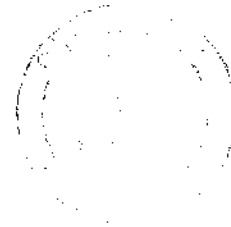
1. Unless, within 14 days of service of this Order, the Plaintiff files and serves a statement of claim then this action be dismissed with costs, such costs to be taxed if not agreed.

2. The costs of and occasioned by this application shall be paid by the Plaintiff in any event, such costs to be taxed if not agreed.
3. Liberty to apply.

Dated this 6th day of August 2012

Filed this 6th day of August 2012

Cresswell J



THE HONOURABLE MR JUSTICE CRESSWELL
JUDGE OF THE GRAND COURT

This Order is filed by Campbells, Attorneys at Law for the First Defendant, whose address for service is P.O. Box 884, 4th Floor, Scotia Centre, George Town, Grand Cayman (Ref AJW/GC/13007-19152)