

APPLEBY

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. FSD 88 OF 2012 - PCJ

IN CHAMBERS
8 AUGUST 2012
BEFORE HON. MR JUSTICE CRESSWELL

IN THE MATTER OF THE COMPANIES LAW (2011 REVISION)

AND IN THE MATTER OF FORTUNE NEST CORPORATION.

ORDER FOR DIRECTIONS

UPON hearing the Petitioner's Summons for Directions dated 11 June 2012

AND UPON hearing counsel for Robert Earl Lee ("Mr. Lee")

AND UPON hearing counsel for Fortune Nest Limited (the "Respondent")

AND UPON reading the Affidavit of Selina Tibbetts

IT IS ORDERED that:

1. The Company is not properly able to participate in, and is merely to be treated as the subject matter of, the proceeding.
2. The proceeding be treated as an *inter partes* proceeding between Mr Lee as Petitioner and Fortune Nest Limited as Respondent.
3. The costs incurred in defending the Petition shall be borne by the Respondent and the Company shall not pay any of those costs.

4. The Respondent shall cause the Company to effect service of the Petition on all the registered shareholders of the Company by 22 August 2012.
5. If the Respondent contends that further particulars of any of the allegations in the Petition are required so as to enable the Respondent to plead a Defence:
 - (a) the Respondent shall serve a request for further particulars by 15 August 2012; and
 - (b) the Petitioner shall respond to such request by 22 August 2012, providing such particulars as the Petitioner accepts that the Respondent is entitled to.

6. The Respondent will file and serve a Defence by 5 September 2012.

7. The Petitioner, if so advised, will file and serve a Reply to the Defence by 19 September 2012.
8. The parties do by 3 October 2012 exchange lists of documents setting out the documents on which that party intends to rely and documents which adversely affect that party's case or which assist the other party's case.
9. There shall be inspection of documents by no later than 10 October 2012.
10. The parties do by 31 October 2012 serve any further affidavits of those witnesses upon whose evidence they intend to rely.
11. The affidavits filed by the parties shall be admissible as the evidence of the deponents to those affidavits at the final hearing of the Petition, provided that if a party not less than 21 days prior to the hearing gives notice to the other party that he requires the personal attendance of any deponents for cross-examination, the relevant affidavit is not to be read unless the Court is satisfied that such attendance is not reasonably practicable.

12. A Case Memorandum shall be prepared by the Petitioner and agreed as far as practicable to be filed by the Petitioner by 14 November 2012.
13. The final hearing of the Petition be listed to be heard commencing on the first available date after 1 January 2013 with a time estimate of 3 days.
14. The parties be at liberty to apply for further directions.
15. The costs of the Petitioner's Summons for Directions dated 11 June 2012 be reserved to the final hearing of the Petition.

Dated this 8th day of August 2012

Filed this 10th day of August 2012

Cremell J

CLERK OF THE GRAND COURT

Approved as to form and content:

Appleby (Cayman) Ltd.
Appleby (Cayman) Ltd
Attorneys-at-Law for the Petitioner

Harney
Harney Westwood & Riegels
Attorneys-at-Law for the Respondent

THIS ORDER was filed by Appleby, Attorneys-at-Law, for and on behalf of the Petitioner herein whose address for service is Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref. KLB/70056.0003)

