

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION



The Hon. Mr Justice Foster
In Chambers, 19th October 2012

FSD NO. 0136 OF 2012

IN THE MATTER OF THE FOREIGN ARBITRAL AWARDS ENFORCEMENT LAW
(30 OF 1975) (1997 REVISION)

AND IN THE MATTER OF GRAND COURT RULES 1995, ORDER 73

AND IN THE MATTER OF THE ARBITRATION BETWEEN FITZPATRICK
EQUATORIAL GUINEA LIMITED (Claimant) AND THE REPUBLIC OF
EQUATORIAL GUINEA (Respondent)

BETWEEN: FITZPATRICK INTERNATIONAL LIMITED

Plaintiff

AND: THE REPUBLIC OF EQUATORIAL GUINEA

Defendant

ORDER

UPON the Plaintiff's Ex-Parte Originating Summons, dated 4 October 2012, seeking an order pursuant to Section 5 of the Foreign Arbitral Awards Enforcement Law (1997 Revision);

AND UPON hearing counsel for the Plaintiff;

AND UPON READING the First Affidavit of Sarah Yasmin Walker, sworn on 28 September 2012, and the Affidavit of Linda D. DaCosta, sworn on 17 October 2012, and the exhibits referred therein;

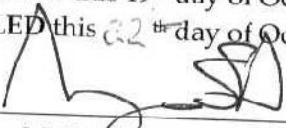
IT IS ORDERED that:

1. Pursuant to section 5 of the Foreign Arbitral Awards Enforcement Law (1997 Revision), leave be granted to the Plaintiff to enforce the final arbitral award

dated 23 December 2011, between Fitzpatrick Equatorial Guinea Limited (FEG) and The Republic of Equatorial Guinea in the arbitration between the parties, as assigned by FEG to the Plaintiff on 7 January 2012, in the same manner as a judgment or order of the Court to the same effect.

2. The Defendant may apply to set aside this Order within 2 months and 28 days of service of this Order;
3. The Award must not be enforced until the end of that period or until any application made by the Defendant within the relevant period has been finally disposed of.
4. The Plaintiff has leave to serve a copy of the Ex-Parte Originating Summons, the supporting affidavits, this Order and any other document in these proceedings out of the jurisdiction on the Defendant pursuant to GCR Order 73, Rule 5(2).
5. The date of deemed service of such documents shall be the date specified in a certificate provided by the Foreign and Commonwealth Office.
6. An acknowledgement of service, admission or defence must be filed within 2 months and 28 days after the date of service.
7. That the costs of this application and of any judgment which may be entered hereinafter be paid by the Defendant to the Plaintiff.

DATED this 19th day of October 2012
FILED this 22nd day of October 2012



Hon Mr Justice Foster
JUDGE OF THE GRAND COURT

