

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

FSD 98/2012 PCJ
(formerly Cause No. 141 of 2012)

Court 5
24 and 29 October 2012
Before the Honourable Justice Sir Peter Cresswell

Between:

RC CAYMAN HOLDINGS LLC



Plaintiff

and

MICHAEL RYAN

Defendant

ORDER

UPON the Defendant's summons dated 16 October 2012 (the "Summons");

AND UPON the Plaintiff having previously disclosed the documents sought in the Summons without prejudice to the question of entitlement thereto;

AND UPON hearing Mr Nigel Meeson QC for the Plaintiff and Mr Richard Millett QC and Mr Mac Imrie for the Defendant on 24 October 2012 and 29 October 2012;


AND UPON reading the first and second affidavits of Michael Ryan; the second affidavit of James Glasgow; the first affidavits of Scott F Elphinstone; J Paul Drake; Michael J Lesser; and Richard C Schoenstein; and the first and second affidavits of Miss Tania Dons.

IT IS ORDERED that:

1. The Summons be and is hereby dismissed for the reasons set out in the Judgment dated 1 November 2012.
2. The Defendant's costs in relation to the disclosure aspect of the Summons are reserved. The Plaintiff's costs of the application shall otherwise be paid by the Defendant, such costs to be taxed on the standard basis if not agreed.

3. The directions hearing listed for 25 October 2012 shall be adjourned to a date to be fixed.

Dated 29 October 2012
Filed 7 December 2012

 *[Signature]*
THE HONOURABLE MR. JUSTICE CRESSWELL
JUDGE OF THE GRAND COURT

This Consent Order for was filed by Conyers Dill & Pearman (Cayman) Limited, Attorneys for the Plaintiff and whose address for service is Cricket Square, P.O. Box 2681, Grand Cayman. KY1-1111, Cayman Islands.