

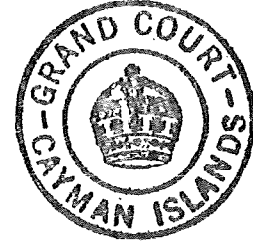
IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION

CAUSE No. FSD 158 OF 2012 (AJJ)

In Chambers

30 November 2012

Before the Honourable Justice Andrew J. Jones QC (by telephone)



B E T W E E N:

BBX CAPITAL ASSET MANAGEMENT LLC

Plaintiff

-and-

(1) ROYAL BANK OF CANADA TRUST COMPANY (CAYMAN) LIMITED  
(as Managing Trustee of the Firetrucks Trust dated 28/10/08)

(2) DANIEL CATALFUMO

(3) SUSAN'S PASSION LIMITED

Defendants

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ORDER

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UPON the Plaintiff's summons dated 28 November 2012 (the "Summons") and upon the oral application of the Second and Third Defendants to adjourn the hearing;

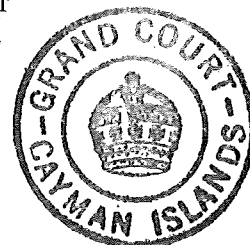
UPON reading the First Affidavit of Sebastian William St. John Said, the First Affidavit of Andrew L. Meran and the exhibits thereto, filed on behalf of the Plaintiff, the First Affidavit of Stephen James Alexander and the exhibits thereto, filed on behalf of the Second and Third Defendants, and the transcript of the hearing on 23 November 2012;

AND UPON hearing leading counsel for the Plaintiff, counsel for the First Defendant and counsel for the Second and Third Defendants;

IT IS ORDERED THAT:

1. Save as otherwise provided in this Order, the hearing of the Summons be adjourned to 10.00 a.m. on 13 December 2012 ("the Adjourned Hearing").

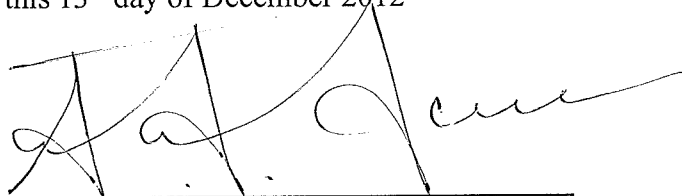
2. The Order dated 23 November 2012 (“the November Order”) do continue in full force and effect until the determination of the Summons, or further order of the Court meanwhile, save that:
  - a. paragraph 6 be varied so that the reference to “paragraph 12” be to “paragraph 11”;
  - b. paragraph 7 be varied so that the reference to “paragraph 13” be to “paragraph 12”; and
  - c. paragraph 8 be varied so that the reference to “paragraph 11” be to “paragraph 10”.
3. The Plaintiff’s applications against the Second and Third Defendants for the provision of information (set out in paragraphs 2(b) – (d) of the draft order accompanying the Summons) (“the Information Applications”) be adjourned for directions on 13 December 2012.
4. On 13 December 2012 directions be made with respect to the following matters:
  - (a) The outstanding matters in respect of the Summons;
  - (b) Such directions as may be necessary in the light of any application made by that date by the Second Defendant to set aside paragraph 18 of the November Order to serve the Writ out of the jurisdiction and/or any application by the Second and Third Defendants to stay the proceedings on the grounds of *forum non conveniens*;
  - (c) The Information Applications; and
  - (d) Any application by the First or Second Defendants to vary the November Order to permit the First Defendant to make a distribution or distributions out of assets held by it under the terms of the Firetrucks Trust to the Second Defendant for the purpose of enabling him to pay his legal expenses.
5. The First Defendant must on or before 14 December 2012, by its proper officer swear, file and serve on the Plaintiff’s Attorneys-at-Law an affidavit setting out which, or which part of the Schedule 2 Dispositions (as defined in the November Order) it retains and, if any asset has been purchased with any part of, or now represents, the Schedule 2 Dispositions, identifying any such asset, its location and its legal and beneficial owners.
6. The First Defendant do have liberty to apply to vary paragraph 5 of this Order



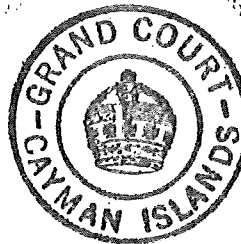
7. Costs in the application.

DATED this 30<sup>th</sup> day of November 2012

FILED this 13<sup>th</sup> day of December 2012



**The Honourable Mr Justice Andrew J. Jones QC  
JUDGE OF THE GRAND COURT**



THIS ORDER was filed by Harney Westwood & Riegels, Attorneys-at-Law for the Plaintiff, whose address for service is 3<sup>rd</sup> Floor, Queensgate House, 113 South Church Street, P.O. Box 10240, Grand Cayman KY1-1002, Cayman Islands (REF: DWH).