

IN THE GRAND COURT OF THE CAYMAN ISLANDS

FINANCIAL SERVICES DIVISION

FSD CAUSE NO 57 of 2013 (AJJ)

THE HON. MR. JUSTICE ANDREW J. JONES QC

IN CHAMBERS, 5 AUGUST 2013

IN THE MATTER OF the declaration of Trust dated 2 March 1998 constituting the Diamond Trust and of the Supplemental Declaration of Trust dated 2 March 1998 as amended by a Deed of Amendment dated 25 September 2012

AND IN THE MATTER OF the Declaration of Trust dated 29 August 1998 constituting the Attila Unit Trust (formerly known as the G.O. Unit Trust)

AND IN THE MATTER of an application by Trustcorp Limited under the Trusts Law (2011 Revision) and GCR Order 85 rule 2

BETWEEN

TRUSTCORP LIMITED (IN LIQUIDATION)

Plaintiff

-and-

HIDEO SETO, THE TRUSTEE OF THE ESTATE

OF KENSHIN OSHIMA, A BANKRUPT (1)

YURIKO OSHIMA (2)

KABUSHIKI KAISHA SIGMA (3)



Defendants

ORDER

UPON HEARING the application of Yuriko Oshima ("the Second Defendant") by way of summons dated 31 July 2013 ("the Application")

AND UPON hearing Counsel for the Second Defendant and Counsel for the Plaintiff


AND UPON reading the First Affidavit of Christopher John Owen sworn on 5 August 2013

IT IS ORDERED THAT:

1. The Application is dismissed.
2. The Plaintiff shall be indemnified in respect of its costs reasonably and properly incurred in respect of the Application out of the assets of the Diamond Trust.
3. Save as set out at paragraph 2, above, there is no order as to costs.

DATED the 5th day of August 2013

FILED the 8th day of August 2013


The Hon. Mr. Justice Andrew J. Jones Q.C.
JUDGE OF THE GRAND COURT



This Order is filed by Walkers, Attorneys-at-Law, 190 Elgin Avenue, George Town, Grand Cayman KY1-0001, Cayman Islands, on behalf of the 2nd and 3rd Defendants whose address for service is care of its said Attorneys-at-Law.