

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 98 OF 2012 (PCJ)
(formerly Cause No.: 141 of 2012)

IN CHAMBERS
BEFORE THE HONOURABLE SIR JUSTICE PETER CRESSWELL
17 SEPTEMBER 2013

BETWEEN:

RC CAYMAN HOLDINGS LLC



Plaintiff

AND:

MICHAEL RYAN

Defendant

AMENDED CONSENT ORDER FOR DIRECTIONS

UPON The Honourable Justice Sir Peter Cresswell's Order for Directions of 6 May 2013 (the Order);

AND UPON Counsel for the Plaintiff and Counsel for the Defendant agreeing

IT IS HEREBY ORDERED BY CONSENT THAT:

1. The Defendant is to complete discovery by 4:00 p.m. on Friday, 20 September 2013.
2. Any application for further discovery by the Plaintiff to be issued by 21 October 2013.
3. The Order shall be amended as follows:
 - 3.1 Paragraph 2 is varied to extend the time for Witness Statements and hearsay notices where required, to be exchanged not later than 11 October 2013 such statements to include the Plaintiff's statement referring to evidence to explain the alleged financial irregularities which the Plaintiff claims resulted in the breach of the Guaranty Agreement;

This **AMENDED CONSENT ORDER FOR DIRECTIONS** was filed by Travers Thorp Alberga, attorneys for the Defendant, whose address for service is 2nd Floor, Harbour Place, P.O. Box 472, Grand Cayman KY1-1106, Cayman Islands (Ref: R0397-005)

- 3.2 Paragraph 10 is varied to extend the time for expert reports to be simultaneously exchanged on or before 15 November 2013;
- 3.3 Paragraph 11 is varied to extend the time for the joint memorandum of the experts to be completed by 29 November 2013;
- 3.4 Paragraph 12 is varied to extend the time for any short supplemental expert reports to be exchanged simultaneously on or before 13 December 2013; and
- 3.5 Paragraph 13 is varied to extend the time for the commencement of trial to be fixed to the week commencing 3 February 2014.

4. The parties agree that any need to plead foreign law is dispensed with on the understanding that the respective cases of the parties as to NY law will be as set out in the position papers.

4.5. The Pre-Trial Review currently set for 17 September 2013 to be relisted for the week commencing 7 October 2013.

5.6. Deadlines for service of Skeleton Arguments for trial are as follows:

5.1 6.1 Plaintiff's Skeleton Argument to be served by Wednesday, 15 January 2014;

5.2 6.2 Defendant's Skeleton Argument to be served by Tuesday, 21 January 2014; and

5.3 6.3 Plaintiff's Reply Skeleton Argument (if any) to be served by Monday, 27 January 2014.

DATED this 17 day of September 2013

FILED this 8 day of October 2013

RE-FILED this 14 day of October 2013



The Honourable Justice Cresswell
Judge of the Grand Court

**THE HONOURABLE SIR JUSTICE CRESSWELL
JUDGE OF THE GRAND COURT**



Approved as to form and content:

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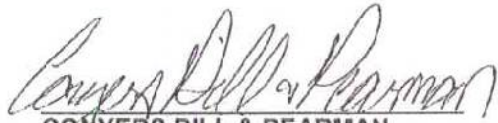
CONYERS DILL & PEARMAN
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Attorneys for the Plaintiff

Travers Thorp Alberga

TRAVERS THORP ALBERGA
Attorneys for the Defendant



Approved as to form and content:



CONYERS DILL & PEARMAN
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Approved as to form and content:

TRAVERS THORP ALBERGA
Attorneys for the Defendant

