

IN THE GRAND COURT OF THE CAYMAN ISLANDS

FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 73 OF 2013 (AJJ)

IN THE MATTER OF SECTION 15(4) OF THE EXEMPTED LIMITED PARTNERSHIP LAW (2012 REVISION)

AND IN THE MATTER OF CYBERNAUT GROWTH FUND, L.P.

In Open Court

25 September 2013

Before the Hon. Mr. Justice Andrew J. Jones QC



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ORDER

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UPON the application of Cybernaut Capital Management Limited (the **General Partner**) by its Summons dated 18 September 2013 and the application of Oriental Financial Holding Corporation (**Oriental**) by its Summons dated 20 September for Leave to Appeal

AND UPON hearing Leading Counsel for the General Partner and Counsel for (i) Partners Group Access Secondary 2008, L.P. (ii) Partners Group Access 89, L.P. (iii) Partners Group Maples Leaf Secondary Fund II, L.P. Inc., (iv) Partners Group Access IV L.P. and (v) Partners Group Global Value SICAV (together, the **Petitioners**) and Counsel for Oriental

IT IS ORDERED that:

1. In the event that leave to appeal is necessary, leave to appeal is granted in respect of the following:
  - 1.1 Such part of the Order made herein on 23 July 2013 as:

1.1.1 Dismissed the General Partner and Oriental's applications by Summonses each dated 25 June 2013 that these proceedings be struck out as an abuse of process, alternatively be stayed until the final determination of an arbitration between the Petitioners, Oriental and the General Partner; and

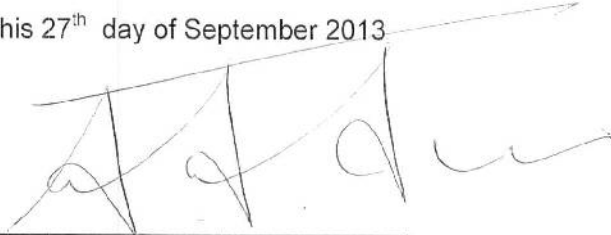
1.1.2 Dismissed the General Partner's application by Summons dated 27 June 2013 for leave to adduce in evidence the legal opinion of Hughes Hubbard & Reed dated 21 June 2013 in support of the applications referred to in 1.1.1 above.

1.2 Such part of the Order made herein on 10 September 2013 as dismissed the General Partner's application by Summons dated 9 September 2013 for leave to adduce further evidence.

2 There be no order as to costs.

DATED this 25th day of September 2013

FILED this 27<sup>th</sup> day of September 2013



**THE HONOURABLE MR JUSTICE ANDREW J. JONES QC**  
**JUDGE OF THE GRAND COURT**

