

**IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION**

**CAUSE NO: FSD 76 OF 2014 (AJJ)**

**Before the Hon. Mr Justice Andrew J. Jones QC  
In Chambers, 29<sup>th</sup> August 2014**

**IN THE MATTER OF the Foreign Arbitral Awards Enforcement Law (1997 Revision)**

**AND IN THE MATTER OF an application for the enforcement of an ICC Arbitral Award  
dated 7 March 2014 in Case No. 18724/VRO/AGF**

**BETWEEN:**

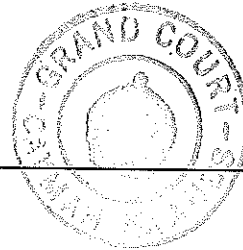
**TRAVIS COAL RESTRUCTURED HOLDINGS, LLC**

**Plaintiff**

**AND**

**ESSAR GLOBAL FUND LIMITED**

**Defendant**



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**ORDER**

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**UPON HEARING** (a) the Defendant's summons issued on 20 August 2014 for an order pursuant to section 7(5) of the Foreign Arbitral Awards Enforcement Law (1997 Revision) that the Court adjourn the proceedings and/or stay enforcement of the ICC Arbitral Award dated 7 March 2014 in Case No. 18724/VRO/AGF (Arbitral Award) and (b) the Plaintiff's cross-summons issued on 27 August 2014 for an order that any adjournment and/or stay be made conditional upon the Defendant giving security (the Summonses)

**AND UPON** hearing counsel for the parties concurrently upon the Summonses and upon the Originating Summons (FSD 93 of 2014) issued on 28 August 2014 by which the Defendant seeks an injunction restraining the Plaintiff from presenting a winding up petition based upon the Arbitral Award or the judgment dated 26 March 2014 in proceedings between the parties in the High Court of Justice of England and Wales, Commercial Court (Case No. 2014 Folio 326 entitled *Travis Coal Restructured Holdings LLC v Essar Global Fund Limited*) (the English Proceeding)

**AND UPON** reading the First, Second, Third and Fourth Affidavits of Sarah Lightdale sworn on 17 July, 25 July, 5 August and 27 August 2014 and the exhibits thereto filed on behalf of the Plaintiff

**AND UPON** reading the affidavits of Jonathan L. Greenblatt sworn on 20 August 2014, Uday Gujadhur sworn on 25 August 2014 and Jane Hale-Smith sworn on 26 August 2014 and the exhibits thereto filed on behalf of the Defendant

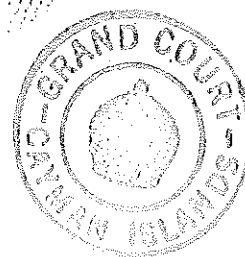
**AND UPON** reading the Judgment of Mr Justice Blair given on 24 July 2014 in the English Proceeding

**IT IS ORDERED** that:

- 1 The Defendant's summons is dismissed.
- 2 No order is made on the Plaintiff's summons.
- 3 Costs to the Plaintiff.

DATED this 29<sup>th</sup> day of August 2014

FILED this 3<sup>rd</sup> day of September 2014



A handwritten signature in black ink, appearing to read "A. J. Jones", is written over a horizontal line.

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