

**IN THE GRAND COURT OF THE CAYMAN ISLANDS**

**CAUSE NO: FSD 80 OF 2014 AJJ**

**FINANCIAL SERVICES DIVISION**

**B E T W E E N:**

**Before The Honourable Mr Justice Andrew Jones QC**

**In Open Court, 14<sup>th</sup> October 2014**

**IN THE MATTER OF THE COMPANIES LAW (2013 REVISION)**

**AND IN THE MATTER OF BROOKEMIL LTD.**

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**ORDER**

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**UPON** the winding up petition presented on 30<sup>th</sup> July 2014 against Brookemil Ltd ("the Company") by OOO Mezhr regionalnaya investitsionnaya kompaniya ("the Petitioner");

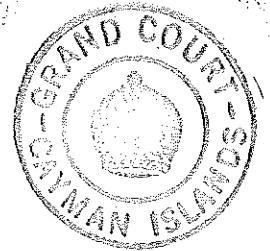
**AND UPON** the resumed hearing of the Case Management Conference, first before the Court on 7 October 2014;

**AND UPON** reading the Affidavit of John Campbell Law and Exhibit JCL1;

**AND UPON** hearing Counsel for the Petitioner and Counsel for the Company;

**IT IS ORDERED THAT:**

1. The Winding Up Petition be stayed, pending a trial of the following preliminary issue:
  - a. Whether the promissory note relied on by the Petitioner in these proceedings is valid and enforceable in accordance with its terms or whether it is forged, or otherwise unenforceable.
2. There be the following directions for the trial of that preliminary issue:
  - a. The Company is to file and serve Points of Claim and Affidavit Evidence in support by 4pm on 24 October 2014.
  - b. The Petitioner is to file and serve Its Defence and Affidavit Evidence in Reply by 4pm on 21 November 2014.
  - c. A Case Management Conference be held on 28 November 2014 to address the following:



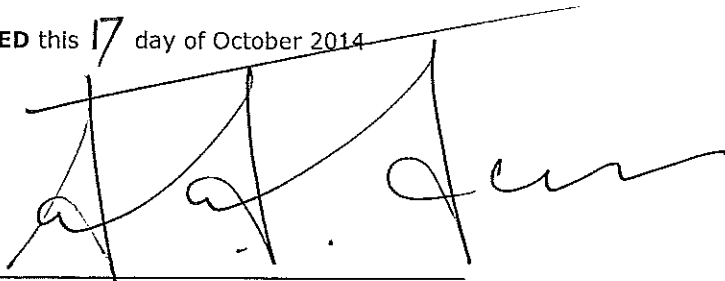
- i. Whether there should be discovery;
- ii. Whether Blidensol Trading & Investments Limited should be joined to or be given notice of these proceedings;
- iii. Whether witnesses will be required to attend for cross-examination; and
- iv. Whether expert evidence is necessary with regard to handwriting and forensic document examination and as to foreign law.

d. A trial of the preliminary issue be set down for determination on 19 January 2015 before the Honourable Mr Justice Andrew Jones QC.

3. Costs in the cause.

DATED this 14 day of October 2014

FILED this 17 day of October 2014



The Hon. Mr. Justice Andrew Jones QC

JUDGE OF THE GRAND COURT

