

IN THE GRAND COURT OF THE CAYMAN ISLANDS

FINANCIAL SERVICES DIVISION

CAUSE No: FSD 80 OF 2014 (AJJ)

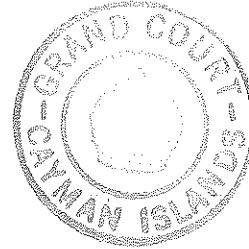
Before The Hon. Mr Justice Andrew J. Jones QC

In Open Court, 21 January 2015

IN THE MATTER OF THE COMPANIES LAW (2013 REVISION)

AND IN THE MATTER OF BROOKEMIL LTD. (“the Company”)

ORDER



UPON the Trial of the Preliminary Issue pursuant to the Order dated 14 October 2014

AND UPON the Court reading the Affidavits of Thalia Constantinou, Loucas Haiaras, Vitali Gogokhia and John Campbell Law (and the exhibits thereto) filed on behalf of the Company and hearing the oral evidence of each of the deponents

AND UPON the Court ruling that the Affidavits of Thalia Constantinou shall be disregarded

AND UPON the Court admitting into evidence the Affidavits of Dimitry Garkusha and the First, Second and Third Affidavits of Mr Viktor Finagin (and the exhibits thereto) filed on behalf of the Petitioner, notwithstanding that the deponents were not available for cross-examination

AND UPON the Court reading the Forensic Document & Handwriting Expert Report of Mr Robert Radley dated 12 January and hearing his oral evidence

AND UPON hearing Counsel for the Company

AND UPON Petitioner’s Counsel not appearing, having come off the record on 13 January 2015, following the Petitioner’s decision not to further participate in the hearing of the Preliminary Issue or in the hearing of its Petition

IT IS ORDERED AND DECLARED that the following documents are forgeries :-

- (1) Promissory Note dated 16 July 2007, between Brooke Mil Ltd [sic] as promisor and Blidensol Trading & Investments Limited as promisee, and endorsed by Dmitry V Garkusha, Attorney;
- (2) Promissory note dated 16 July 2007 (a separately-executed version of document (i) above), between Brooke Mil Ltd [sic] as promisor and Blidensol Trading & Investments Limited as promisee, with an unknown endorsement status;
- (3) Promissory Note Purchase Agreement dated 16 July 2007 between Brookemil Ltd. and Blidensol Trading and Investments Limited;
- (4) Promissory Note Acceptance Certificate dated 16 July 2007 between Brookemil Ltd., as the seller and Blidensol Trading and Investments Limited as the purchaser; and
- (5) Letter in Russian from Brookemil Ltd. to Mr. Garkusha and purportedly signed by Mr. Gogokhia and dated 16 July 2007.

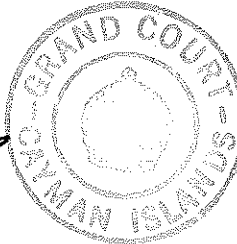
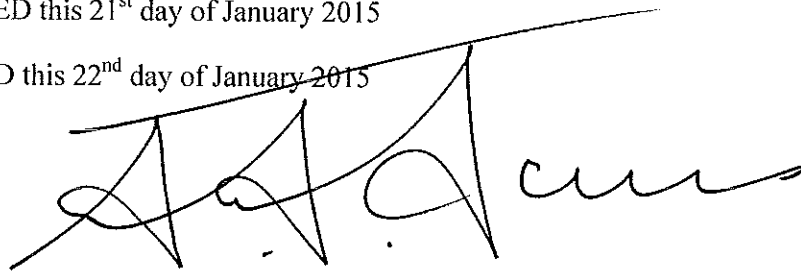
AND BY REASON OF THE COURT'S DETERMINATION OF THE PRELIMINARY ISSUE, IT IS FURTHER ORDERED THAT :-

1. The Court's stay of the Petition is lifted; and
2. The Petition is dismissed.

AND IT IS FURTHER ORDERED that the Company's costs of and occasioned by the Petition (save for the costs of preparing Mrs Constantinou's Affidavits, which are disallowed) shall be paid by the Petitioner, such costs to be taxed on the indemnity basis if not agreed.

DATED this 21st day of January 2015

FILED this 22nd day of January 2015



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

THIS ORDER was filed by Appleby (Cayman) Ltd., Attorneys-at-Law for and on behalf of the Company whose address for service is that of its said Attorneys, namely Clifton House, 75 Fort Street, PO Box 190, Georgetown, Grand Cayman, KY1-1104, Cayman Islands, (Ref: JW/SS 428126.0001)