

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION

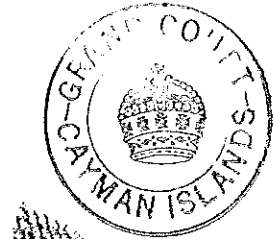
CAUSE NO FSD 0055 OF 2015 (NAS)

IN THE MATTER OF THE COMPANIES LAW (2013 REVISION)

AND

IN THE MATTER OF PRIMARY DEVELOPMENT FUND (CAYMAN) SPC

IN OPEN COURT  
WEDNESDAY, 1<sup>ST</sup> JULY 2015  
BEFORE THE HON. JUSTICE NICK SEGAL



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ORDER

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UPON THE PETITION of Primary Development Fund (Cayman) SPC (the "Petitioner") dated 30 March 2015

AND UPON hearing Counsel for the Petitioner

AND UPON reading the Affidavits of Ray George dated 10 March 2015; David Griffin dated 1 April 2015; Andrew Morrison dated 17 April 2015; Kai McGriele dated 17 June 2015 and 24 June 2015.

IT IS HEREBY ORDERED:

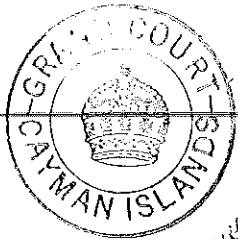
- 1) That a receivership order be made pursuant to Section 224 of the Companies Law (2013 Revision) (the "Companies Law") in relation to the Helvetia Trading Fund SP (the "Helvetia Portfolio") and that Andrew Morrison and David Griffin of FTI Consulting, 2D Landmark Square, 64 Earth Close, PO Box 30613, KY1-1203, Grand Cayman, Cayman Islands be appointed joint receivers (the "Joint Receivers");
- 2) That the business and segregated portfolio assets of the Helvetia Portfolio shall be managed by the Joint Receivers for the purposes specified in section 224(3) of the Companies Law;

3) That, pursuant to section 226(1) of the Companies Law, the Joint Receivers have and be authorised to exercise, for the purposes of:

- i. The orderly closing down of the business of or attributable to the Helvetia Portfolio; and
- ii. The distribution of the segregated portfolio assets attributable to the Helvetia Portfolio to those entitled to have recourse thereto.

the following powers:

- a) to make any compromise or arrangement with creditors or persons claiming to be creditors or having or alleging themselves to have any claim (present or future, certain or contingent, ascertained or sounding only in damages) against the segregated assets of Helvetia Portfolio or for which the segregated assets of the Helvetia Portfolio may be rendered liable;
- b) to compromise on such terms as may be agreed all debts and liabilities capable of resulting in debts, and all claims (present or future, certain or contingent, ascertained or sounding only in damages) subsisting, or supposed to subsist between the Helvetia Portfolio and a contributory or alleged contributory or other debtor or person apprehending liability to the Helvetia Portfolio;
- c) to deal with all questions in any way relating to or affecting the assets or the orderly closure of the business of the Helvetia Portfolio;
- d) to engage staff to assist them in the performance of their functions;
- e) to engage attorneys and other professionally qualified persons to assist them in the performance of their functions;
- f) to take possession of, collect and get in the segregated assets of the Helvetia Portfolio and for that purpose to take all such proceedings as they consider necessary;
- g) to do all acts and execute, in the name and on behalf of the Helvetia Portfolio, all deeds, receipts and other documents;



- h) to prove, rank and claim in the bankruptcy, insolvency or sequestration of any contributory for any balance against his estate, and to receive dividends in the bankruptcy, insolvency or sequestration in respect of that balance, as a separate debt due from the bankrupt or insolvent and rateably with the other separate creditors;
  - i) to convene meetings of creditors and contributories; and
  - j) to do all other things incidental to the exercise of their powers.
- 4) That the Joint Receivers' fees and expenses shall be payable out of the segregated assets of the Helvetia Portfolio pursuant to section 228 of the Companies Law in priority to all other claims;
  - 5) That no suit, action or other proceedings shall be instituted against the Company in relation to the Helvetia Portfolio except with the leave of the Court pursuant to section 226(5) of the Companies Law;
  - 6) That any act required or authorised to be done by the Joint Receivers may be done by any one of them;
  - 7) That the Joint Receivers be at liberty to apply for further directions and generally;
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- 8) That the Company's costs of this Petition shall be paid out of the segregated assets of the Helvetia Portfolio on an indemnity basis;
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- 9) That such other order may be made as the Court thinks fit.

DATED the 1<sup>st</sup> day of July 2015

FILED the 1<sup>st</sup> day of July 2015



The Hon. Justice Nick Segal  
JUDGE OF THE GRAND COURT

