

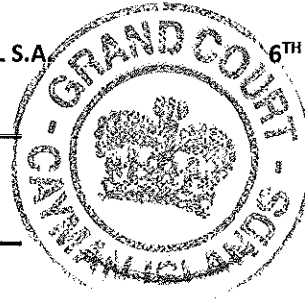
IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

In chambers and in private
6 January 2017
Before the Hon. Justice Mangata

CAUSE NO. FSD 172 OF 2016 (IMJ)

BETWEEN	MERIDIAN TRUST COMPANY LIMITED	
AND	AMERICAN ASSOCIATED GROUP, LTD.	APPLICANTS
AND	EIKE FUHRKEN BATISTA DA SILVA (AKA EIKE FUHRKEN BATISTA)	1 ST RESPONDENT
AND	63X INVESTMENTS LTD.	2 ND RESPONDENT
AND	63X FUND	3 RD RESPONDENT
AND	63X MASTER FUND	4 TH RESPONDENT
AND	MAPLES CORPORATE SERVICES LIMITED	5 TH RESPONDENT
AND	BANCO BTG PACTUAL S.A.	6 TH RESPONDENT

ORDER



UPON THE AMENDED EX-PARTE SUMMONS dated 6 January 2017 coming on for hearing

AND UPON reading the unsworn Third Affidavit of Richard Trainer

AND UPON reading the Skeleton Argument submitted by Counsel for the Applicants the Judge considers the application suitable to be disposed of on the papers without the need for an oral hearing

IT IS HEREBY ORDERED that:

1. The worldwide freezing Order dated 28 October 2016 (the **WFO**) as varied by the Order dated 16 November 2016 and filed on 23 November 2016, the Order dated 14 December 2016 and filed 14 December 2016 and the Order dated 22 December 2016 and filed 22 December 2016 be varied so as to read as follows:

THE ORDER

An application was made on the 27th and 28th October 2016 by Counsel for **MERIDIAN TRUST**

00651747-1

THIS ORDER was FILED by SOLOMON HARRIS of 3rd Floor, First Caribbean House, P.O. Box 1990, Grand Cayman, KY1-1104, Cayman Islands, Attorneys-at-law for and on behalf of the Applicants whose address for service is that of its said Attorneys-at-law.

COMPANY LIMITED and AMERICAN ASSOCIATED GROUP, LTD. (the Applicants) to The Hon. Madam Justice Mangatal. Upon hearing Counsel for the Applicant, Madam Justice Mangatal heard the application and read the affidavits listed in Schedule 2 at the end of this Order and amended by further orders of Madam Justice Mangatal on 16 November 2016, 14 December 2016, 22 December 2016 and 6 January 2017.

5. EXCEPTIONS TO THIS ORDER

This order does not prohibit the First Respondent from spending USD10,000 a week towards his ordinary living expenses and each Respondent from spending a reasonable sum on legal advice and representation. But before spending any money each Respondent must tell the Applicants' attorneys where the money is to come from and inform the Applicants before the spending on legal advice or liability to pay for legal advice of:

- (a) The First Respondent has reached \$100,000 if the First Respondent is separately represented from the Second, Third and Fourth Respondents; and
- (b) The Second, Third and Fourth Respondents, in the aggregate has reached \$100,000, if separately represented from the First Respondent; and
- (c) The First, Second, Third and Fourth Respondents in the aggregate has reached \$200,000 if those respondents are each represented by the same attorneys.

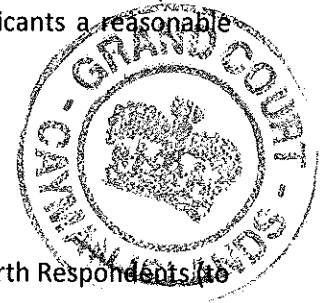
Save that:

- (a) No spending on ordinary living expenses shall be permitted in the event that the First Respondent fails to comply with paragraphs 2, 3 and 4 of this Order; and
- (b) Any spending permitted by this paragraph shall be paid from assets outside the Islands until and unless there are no assets outside the Islands to allow payments to be made.

2. Save as provided in 14A below this order does not prohibit each Respondent from dealing with or disposing of any of their assets in the ordinary and proper course of business, provided that the Respondents shall notify the Applicants' attorneys 5 business days in advance of any such dealing or disposal worth more than USD10,000 so as to afford the Applicants a reasonable opportunity to apply for further relief from this Court.

14A. From the date of this Order to the earlier of:

- a) 12 January 2017; or
- b) the date of service of this Order on any of the First, Second, Third or Fourth Respondents (to be advised by the Applicants to the Sixth Respondent in writing); or
- c) the Applicants informing the Sixth Respondent that the terms of this Order have been brought to the attention of the First Respondent (to be advised by the Applicants to the Sixth Respondent in writing)



00651747-1

THIS ORDER was FILED by **SOLOMON HARRIS** of 3rd Floor, FirstCaribbean House, P.O. Box 1990, Grand Cayman, KY1-1104, Cayman Islands, Attorneys-at-law for and on behalf of the Applicants whose address for service is that of its said Attorneys-at-law.

nothing in this Order shall prohibit the First to Fourth Respondents (or their associated entities) from making transfers from any account held with the Sixth Respondent located within the Cayman Islands up to a maximum aggregate amount of US\$500,000.

DATED the 6th day of January 2017

FILED the 6th day of January 2017



THE HONOURABLE MADAM JUSTICE MANGATAL
JUDGE OF THE GRAND COURT

