

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD 172 OF 2016 (IMJ)

IN CHAMBERS AND IN PRIVATE
24 JANUARY 2017
BEFORE THE HON. JUSTICE MANGATAL

BETWEEN	MERIDIAN TRUST COMPANY LIMITED	
AND	AMERICAN ASSOCIATED GROUP, LTD.	APPLICANTS
AND	EIKE FUHRKEN BATISTA (AKA EIKE FUHRKEN BATISTA DA SILVA)	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
	BANCO BTG PACTUAL S.A.	6 TH RESPONDENT

ORDER



UPON the Applicants' Summons dated 16 January 2017 and the 1st Respondent's Summons dated 19 January 2017 coming on for hearing.

AND UPON reading the Applicants' Skeleton Argument, the 1st to 4th Respondents' Skeleton Argument, the Sixth Affidavit of Richard Trainer, the Seventh Affidavit of Richard Trainer and the First Affidavit of Ashleigh Dixon.

AND UPON the Applicants' undertaking to swear and file an affidavit exhibiting documents placed before the Court not already contained in affidavits.

AND UPON hearing Counsel for the Applicants.

AND UPON hearing Counsel for the 1st to 4th Respondents and the 6th Respondent.

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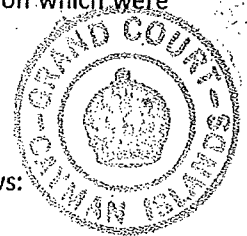
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THIS ORDER was FILED by SOLOMON HARRIS of 3rd Floor, First Caribbean House, P.O. Box 1990, Grand Cayman, KY1-1104, Cayman Islands, Attorneys-at-law for and on behalf of the Applicants whose address for service is that of its said Attorneys-at-law.

IT IS HEREBY ORDERED that:-

1. The 1st Respondent's Summons dated 19 January 2017 is dismissed.
2. A further Return Date be listed on 23 February 2017 ^{at 9:30 a.m.} with a time estimate of 1 day (the **Second Return Date**).
3. The First Respondent do comply with the disclosure obligations contained in paragraphs 5, 6, 7, 10, 11, 12 of the worldwide freezing Order dated 28 October 2016 as varied (the **WFO**) by the following deadlines:
 - 3.1. The First Respondent comply with paragraphs 11 and 12 of the WFO by 5pm on 26 January 2017;
 - 3.2. The First Respondent comply with paragraphs 5 and 6 of the WFO by 5pm on 27 January 2017; and
 - 3.3. The First Respondent comply with paragraphs 7 and 10 of the WFO by 5 pm on 31 January 2017.
4. If and to the extent that the First Respondent considers in the course of complying with the disclosure of assets as referred to in paragraph 3.2 above, that his disclosure of assets may be incomplete or inaccurate, he shall identify, in the affidavit to be served pursuant to paragraph 3.3 above, in what respect the asset disclosure provided may be incomplete or inaccurate.
5. If the First Respondent identifies that his affidavit may be incomplete and inaccurate in accordance with paragraph 4 above, the First Respondent shall by 5pm on 3 February 2017 file and serve a supplemental or corrected affidavit addressing any omissions or areas of information which were incomplete or inaccurate in the asset disclosure already provided.
6. The WFO will continue in force until up to and including the Second Return Date.
7. Paragraphs 14 and 22 of the WFO, as varied, be further varied so as to read as follows:

"14. 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 **(a) 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; **and (b) notify the Applicants'**



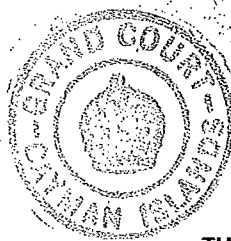
attorneys at the same time of the name of the bank, entity or person from which such funds will be transferred. Upon receiving such a notification the Applicants shall provide confirmation to the identified bank, entity or person that such notification has been given."

"22. Withdrawals by the Respondents – No bank need enquire as to the application or proposed application of any money withdrawn by the Respondents if the withdrawal appears to be permitted by this Order. For the avoidance of doubt, a bank in receipt of an instruction from any Respondent to apply or withdraw sums of money pursuant to paragraph 14 above may only comply with that instruction if the bank has received confirmation from the Applicants' attorneys that notification has been given in accordance with paragraph 14."

8. Without prejudice to his right to make further applications in these proceedings, by 4pm on 15 February 2017, the First Respondent shall, if advised, file and serve Summonses together with evidence in support of those Summonses:
 - 8.1. To set aside the Order of Mangatal J dated 16 January 2017 (by which the Court granted permission to serve the WFO on the First Respondent by way of substituted service); and/or
 - 8.2. To set aside the WFO on the grounds stated in paragraph 17 of the First Affidavit of Ashleigh Dixon.
9. Costs reserved to the Second Return Date.

Dated this 24th day of January 2017

Filed this 25th day of January 2017



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

THE HONOURABLE MADAM JUSTICE MANGATAL
JUDGE OF THE GRAND COURT

APPROVED AS TO FORM AND CONTENT:

Solomon Harris

SOLOMON HARRIS
Attorneys for the Applicants

Carey Olsen

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Attorneys for the 1st to 4th Respondents

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Attorneys for the 6th Respondent