

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

In chambers and in private
16 November 2016
Before the Hon. Justice Mangatal

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

ORDER



UPON the inter partes hearing of paragraphs 3 and 4 of the Applicants' Ex Parte Originating Summons dated 19 October 2016 for certain relief against the Fifth Respondent

AND UPON THE APPLICANTS' EX PARTE SUMMONS dated 11 November 2016 coming on for hearing on notice to the Fifth Respondent

AND UPON reading the Witness Statement of Richard Trainer dated 15 November 2016

AND UPON hearing Counsel for the Applicants and Leading Counsel for the Fifth Respondent

IT IS HEREBY ORDERED that:-

1. Paragraph 4 of the disclosure order made against the Fifth Respondent dated 28 October 2016 (the **Disclosure Order**) be varied to read as follows:

Save for the purpose of obtaining legal advice, the Respondent must not inform anyone else (including MR EIKE FUHRKEN BATISTA DA SILVA (AKA EIKE FUHRKEN BATISTA), 63X INVESTMENTS LTD., 63X FUND, or 63X MASTER FUND, collectively "the Other Persons") of these proceedings (or any of the facts and matters of which it is aware as a result of these proceedings) or that it is to disclose the documents or information sought by this order (Information) until the earlier of:

- (a) *The receipt of a notification by the Applicants that Freezing Orders of this Court have been served on each of the Other Persons;*
- (b) *16 December 2016; or*
- (c) *such date agreed in writing with the Applicants.*

Nothing in this paragraph 4 shall prevent the Respondent from making any disclosure to the Financial Reporting Authority as it may consider necessary pursuant to the Proceeds of Crime Law (2016 Revision).

2. Paragraph 6 of the Disclosure Order be varied as follows:

The Respondent's costs, including its costs and expenses of complying with this order be paid by the Applicants on an indemnity basis, to be taxed if not agreed.

- 3. The Applicants and the Fifth Respondent have liberty to apply to have a further Return Date listed on no less than 7 days' notice to the other party.
- 4. The Applicants shall pay to the Fifth Respondent the sum of US\$25,000, by way of interim payment pursuant to paragraph 6 of the Disclosure Order (as varied by paragraph 2 of this Order) and GCR Order 62 rule 4 (7)(h), within 7 days of the Fifth Respondent sending to the Applicants' attorneys a copy of their attorneys' invoice for their costs to date.
- 5. The Clerk of the Court shall not place a copy of the Ex Parte Originating Summons issued in this Cause on the Register of Writs and other Originating Process pursuant to the GCR Order 63, rule 8(1) until notified by the Applicants that the Ex Parte Originating Summons herein has been served on the First to Fourth Respondents, or until further order.

DATED the 16th day of November 2016
FILED the 14th day of December 2016


JUDGE OF THE GRAND COURT



AGREED AS TO FORM AND CONTENT:

Solomon Harris

SOLOMON HARRIS
ATTORNEYS-AT-LAW FOR THE APPLICANTS

and Maples and Calder

MAPLES & CALDER
ATTORNEYS-AT-LAW FOR THE 5TH RESPONDENT

