

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 159 OF 2016 (IMJ)

BETWEEN:

MIDTOWN ACQUISITIONS L.P.



Plaintiff

AND

ESSAR GLOBAL FUND LIMITED

Defendant

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CONSENT ORDER

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**UPON** the applications of the Plaintiff by its Summonses respectively dated 26 October 2016 and 23 June 2017 (the "**Summary Judgment Application**" and the "**Re-Opening Application**" respectively) being heard by the Court on 10 January 2017 and 24 August 2017 respectively

**AND UPON** the Court entering judgment against the Defendant in favour of the Plaintiff for the sum of US\$171,769,169 (the "**Principal Sum**") by order in these proceedings on 29 November 2017 and directing therein that the Plaintiff's unresolved claims (the "**Issues**") for costs and interest due on the Principal Sum be set down for future hearing

**AND UPON** the Court subsequently fixing a hearing to determine the Issues on 7 February 2018

**AND UPON** the parties having reached agreement as to the resolution of the Issues

**AND UPON** being satisfied that the parties hereto consent to the making of this Order as evidenced by their respective signatures below

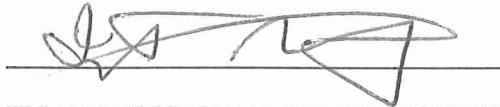
**BY CONSENT IT IS ORDERED** that:

- 1 The hearing listed on 7 February 2018 be vacated.
- 2 The Defendant shall pay contractual interest on the Principal Sum at the rate of 13.5%.

3 The Defendant shall pay the Plaintiff's costs of and incidental to the Summary Judgment Application and the Re-Opening Application on the standard basis, to be taxed if not agreed.

DATED this <sup>6<sup>th</sup></sup> day of February 2018

FILED this <sup>6<sup>th</sup></sup> day of February 2018



**THE HONOURABLE JUSTICE MANGATAL**



The Plaintiff hereby agrees to an Order being made in the above terms:



**Maples and Calder**

Attorneys for the Plaintiff

The Defendant hereby agrees to an Order being made in the above terms:



**Ogier**

Attorneys for the Defendant