

**IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION**

**Cause No. FSD 144 of 2019**

**IN THE MATTER OF THE COMPANIES LAW (2018 REVISION) s. 124**

**AND IN THE MATTER OF MANU BAY GLOBAL LONG-SHORT (the "Company")**

**BETWEEN:-**



**RUSSELL SMITH & DECLAN MAGENNIS  
AS JOINT VOLUNTARY LIQUIDATORS**

**Petitioners**

**-and-**

**MANU BAY GLOBAL LONG-SHORT**

**Respondent**



**P E T I T I O N**



**TO THE GRAND COURT OF THE CAYMAN ISLANDS**

The Petition of RUSSELL SMITH and DECLAN MAGENNIS, Joint Voluntary Liquidators of the Company, of BDO CRI (Cayman) Ltd, of Level 3, Century Yard, Cricket Square, 171 Elgin Avenue, Box 31229, George Town, Grand Cayman, KY1-1205, Cayman Islands, shows that:-

1. PARTICULARS OF THE COMPANY'S INCORPORATION:-

**MANU BAY GLOBAL LONG-SHORT** (the "Company" or "Feeder Fund") was incorporated pursuant to the Companies Law and registered as an Exempted Company

Limited by Shares (Registration No. CT-296904) with effect from 20 February 2015 with its registered office then at the offices of Codan Trust Company (Cayman) Limited, Cricket Square, Hutchins Drive, Box 2681, Grand Cayman, KY1-1111, Cayman Islands. Following the Company's appointment of the Joint Voluntary Liquidators on 8 January 2019, the Company's registered office was changed on 17 January 2019 and is currently located at Box 31229, 2nd Floor, Building 3, Governors Square, 23 Lime Tree Bay Avenue, Grand Cayman, KY1-1205, Cayman Islands. The Company's Amended and Restated Memorandum and Articles of Association were adopted by Special Resolution passed on 23 October 2015.

2. PARTICULARS OF THE METHOD BY WHICH THE COMPANY WAS PUT INTO VOLUNTARY LIQUIDATION:-

By Resolution made by and with the authority of the Board of Directors on 8 January 2019 the Company was placed in Voluntary Liquidation and Russell Smith and Declan Magennis of BDO CRI (Cayman) Ltd, were appointed as Joint Voluntary Liquidators of the Company.

3. PARTICULARS OF THE PERSONS WHO ARE OR WERE DIRECTORS OF THE COMPANY ON THE DATE ON WHICH THE COMPANY'S VOLUNTARY LIQUIDATIONS COMMENCED:-

- a). Roland Frederick Kaehler, Na Doubkove, 5A 15000, Prague 5, Czech Republic.
- b). Winston Connolly, 2<sup>nd</sup> Floor, Whitehall Building, North Church Street, George Town, Grand Cayman, Cayman Islands

4. Russell Smith and Declan Magennis hereby state that the Joint Voluntary Liquidators did not receive, within 28 days of the commencement of the liquidation, a Declaration of Solvency in the prescribed form signed by both of the company's directors or at all;

5. Russell Smith and Declan Magennis hereby state that they are both qualified insolvency practitioners, that they are both willing and properly able and consent to being appointed as Joint Official Liquidators of the Company;

6. In the circumstances it is also just and equitable that the Company be wound up subject to the supervision of this Honourable Court.

**AND THE PETITIONERS THEREFORE PRAY that:-**

- (1) The Company shall be wound up subject to supervision by this Honourable Court under the provisions of the Companies Law (2018 Revision) s. 124 and the Companies Winding-up Rules O. 15, rr.1,2, 4, 5 & 8;
- (2) Mr. Russell Smith and Mr. Declan Magennis of BDO CRI (Cayman) Ltd, Level 3, Century Yard, Cricket Square, 171 Elgin Avenue, Box 31229, George Town, Grand Cayman, KY1-1205, Cayman Islands be jointly appointed as Joint Official Liquidators of the Company subject to supervision by this Honourable Court;
- (3) The Joint Official Liquidators shall not be required to give security;
- (4) The Joint Official Liquidators are hereby authorized to take such steps as may be necessary or expedient for the protection of the Company's assets, and for that purpose may exercise any of the powers specified in Companies Law (2018 Revision) Third Schedule, Parts I and II without further sanction of this Court or otherwise as the Court may direct.
- (5) The Joint Official Liquidators be authorized to act jointly and severally.
- (6) The Joint Official Liquidators shall be at liberty to apply for further directions concerning their functions and the exercised or proposed exercise of their powers.
- (7) The Joint Official Liquidators shall within 14 days notify all known creditors and shareholders of their appointment and there shall be no other requirement to advertise.

- (8) No suit, action or other proceeding shall be proceeded with or commenced against the Company except with leave of the Court and subject to such terms as the Court may impose.
- (9) No disposition of the Company's property by or with the authority of the Joint Official Liquidators in carrying out their duties and functions and exercise of their power under this Order shall be voided by virtue of the Companies Law (2018 Revision) s. 99.
- (10) The Joint Official Liquidators' remuneration and expenses be paid out of the assets of the Companies as permitted by the Companies Law (2018 Revision) and in accordance with the Insolvency Practitioner's Regulations 2018 Part III and the Companies Winding-Up Rules O. 20.
- (11) The costs of and incidental to this Petition shall be paid out of the assets of the Companies, as permitted by the Companies Law (2018 Revision), as an expense of the liquidation, to be taxed if not agreed.
- (12) Such further or other relief be granted as the Court deems appropriate.

Dated: 8 July 2019



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DIAMOND LAW ATTORNEYS

ATTORNEYS FOR THE PETITIONERS

NOTE: This Petition is intended to be served on (1) Roland Frederick Kaehler and (2) Winston Connolly.

NOTICE OF HEARING  
[N.B. Delete if not Required]

TAKE NOTICE THAT the hearing of this petition will take place at the Law Courts, George Town, Grand Cayman, on July, 2019 at 10.00am.

Any correspondence or communication with the Court relating to the hearing of this Petition should be addressed to Mrs Shiona Allenger, the Registrar of the Financial Services Division of the Grand Court at Box 495, Grand Cayman, KY1-1106, telephone +1-345-949-4296.

THIS PETITION is presented by DIAMOND LAW ATTORNEYS, Attorneys for the Petitioners whose address for service is Whitehall Chambers, 2<sup>nd</sup> Floor, Whitehall Building, 238 North Church Street, Box 2887, George Town, KY1-1112, Cayman Islands [Ref: SND]