

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION



CAUSE NO: FSD 48 of 2010

IN THE MATTER OF THE COMPANIES LAW (2007 REVISION)

AND IN THE MATTER OF DD GROWTH PREMIUM MASTER FUND

Before the Honourable Chief Justice
On the Papers
1 September 2022

ORDER

UPON a determination on the papers of the Summons dated 30 August 2022 (the "**Application**"), filed on behalf of Bank of New York Mellon Investment Servicing (International) Limited (the "**Applicant**")

AND UPON reading the First and Second Affidavits of Mr. Steven Barrie, sworn 30 August 2022 and 1 September 2022 respectively, together with Exhibit SB-1 and Exhibit SB-2

IT IS ORDERED THAT:

1. The Applicant be permitted to use the following documents currently in its possession, in proceedings before the Court of Milan, bearing docket number 18017/18:
 - a. The Proof of Debt submitted by Fidor S.P.A. Fiduciaria Orefici ("**Fidor**") in the liquidation of the DD Growth Premium Fund (1X Fund), together with supporting documentation as exhibited at pages 13-45 of Exhibit SB-1.
 - b. The Proof of Debt submitted by Fidor in the liquidation of DE Growth Premium Master Fund (the "**Master Fund**"), together with supporting documentation as exhibited at pages 1-9 of Exhibit SB-1;
 - c. The email rejecting Fidor's Proof of Debt in the Master Fund as exhibited at pages 10-12 of Exhibit SB-1;

- d. The Proof of Debt submitted by the 1X Fund in the Master Fund, together with supporting documentation as exhibited at pages 269-282 of Exhibit SB-1; and
 - e. The Report to Creditors in the Master Fund dated 27 July 2012.
2. In the absence of the Applicant having had a full opportunity to inspect the relevant court files, the Official Liquidator of the Master Fund be permitted to share the latest report to creditors and/or to the Court with the Applicant.
 3. The Applicant be permitted to use any report referred to in paragraph 2 of this Order in proceedings before the Court of Milan, bearing docket number 18017/1.
 4. That the Official Liquidator of the Master Fund, and the Applicant, be permitted to disclose the documents specified in paragraphs 1 to 3 in the manner so ordered in paragraphs 1 to 3, in accordance with section 4 of the of the Confidential Information Disclosure Act, 2016.
 5. There shall be no order as to costs.

Dated 1 September 2022

Filed **1** September 2022



THE HONOURABLE CHIEF JUSTICE SMELLIE
JUDGE OF THE GRAND COURT