CA 004/2011

CFI 013/2010

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF APPEAL

CHIEF JUSTICE MICHAEL HWANG

JUSTICE SIR JOHN CHADWICK

H.E. JUSTICE OMAR AL MUHAIRI

IN THE MATTER OF ORION HOLDING OVERSEAS LIMITED (in liquidation)

AND

IN THE MATTER OF DIWAN CAPITAL LIMITED (in liquidation)

BETWEEN

SHAHAB HAIDER (Liquidator of Orion Holdings Overseas Limited and liquidator of Diwan Capital Limited) Applicant

-and-

ERNST & YOUNG MIDDLE EAST

Respondents

ORDER

UPON the application (No. 39/2011) of the Liquidator of Diwan Capital Limited (**"Liquidator"**)

AND UPON hearing Counsel for the Liquidator of Diwan Capital Limited (**"Diwan"**) and Counsel for Ernst & Young Middle East (Dubai Branch) (**"E&Y"**)

IT IS ORDERED THAT

1. Pursuant to Article 96 of the DIFC Insolvency Law No. 3 of 2009, E&Y shall give to the Liquidator as soon as practicable and in any event by **4pm on 5 February 2012** all documents, working papers, electronic records and information however recorded that they have in their possession and control relating to Diwan Capital Limited, that have not already been provided.

2. The Parties to endeavour to reach agreement, in principle only, as to the costs to be awarded in these proceedings by **4pm on 12 February 2012** failing such agreement, the parties to file and serve written submissions, in principle only, as to the costs to be awarded in the proceedings. Those submissions to be determined by the Court of Appeal without a hearing, unless either party requests an oral hearing.

Issued by

Mark Beer

Registrar

Date of Issue: 22 January 2012

At: 3pm