Claim No. DEC 001/2025

IN THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

TECHTERYX LTD.

Claimant

and

(1) ARIA COMMODITIES DMCC
(2) MASHREQ BANK PSC
(3) EMIRATES NBD BANK PJSC
(4) ABU DHABI ISLAMIC BANK PJSC

Defendants

AMENDED ORDER OF H.E. JUSTICE MICHAEL BLACK KC

UPON the Order of H.E. Justice Michael Black KC dated 28 February 2025 transferring Case No. CFI-020-2025 to Case No. DEC-001-2025 and granting alia the following injunctions (the "**Injunctions**")

(1) a proprietary injunction prohibiting the First Defendant from disposing of, dealing with, or diminishing cash or assets to the value of the sum of USD 456,000,000 transferred to the First Defendant or the traceable proceeds thereof (the **"Proprietary Order"**); and

(2) a worldwide freezing injunction, prohibiting the First Defendant from removing from Dubai any of its assets which are in Dubai up to the value of USD 456,000,000 or in any way disposing of, dealing with or diminishing the value of any of its assets whether in or outside Dubai up to the same value (the **"WFO"**)

AND UPON the Order of H.E. Justice Michael Black KC dated 18 March 2025 (the **"18 March Order"**) continuing the Proprietary Order and the WFO on varied terms until a further return date hearing on 12 May 2025 (the **"12 May Hearing"**)

AND UPON paragraphs 3 and 4 of the 18 March Order (as subsequently varied) permitting:

(1) the First Defendant to file and serve its evidence in response to the continuation of the Injunctions by 23.59 (GST) on 10 April 2025; and

(2) the Claimant file and serve any evidence in reply by 23.59 (GST) on 2 May 2025

AND UPON the First Defendant filing and serving on 10 April 2025 the Third Affidavit of Matthew Brittain

AND UPON the First Defendant's Application No. DEC-001-2025/10 dated 28 April 2025 to discharge the Injunctions (the **"Discharge Application"**)

AND UPON the Order dated 2 May 2025 (the **"2 May Order"**) directing that (a) the Discharge Application and the three other applications referred to therein (comprising Application No. DEC-001-2025/6 dated 17 April 2025, Application No. DEC-001-2025/8 dated 24 April 2025 and Application No. DEC-001-2025/9 dated 25 April 2025 (together, the **"Other Applications"**)) be heard at the 12 May Hearing; and (b) the First Defendant have until 23.59 (GST) on 6 May 20265 to serve rejoinder evidence in relation to the Discharge Application

AND UPON the Claimant serving the following evidence in reply on 2 May 2025 (together, the "2 May Evidence") including:

(1) the Fourth Affirmation of Li Jinmei dated 2 May 2025 (**"Li 4"**);

(2) a report from Kroll dated 1 May 2025 (the **"Kroll Report"**); and

(3) a memorandum form Ogier (Cayman) LLP dated 1 May 2025 (the **"Ogier Memo"**)

AND UPON the Claimant indicating in paragraph 17 of Li 4 that it intends to serve a further report from Kroll before the 12 May Hearing

AND UPON the First Defendant's Application No. DEC-001-2025/11 dated 5 May 2025 in relation to (a) permission to serve expert evidence; (b) permission to extend the date for filing rejoinder evidence to the Discharge Application; and (c) the adjournment of the Discharge Application (the **"5 May Application"**)

AND UPON reading the Third and Fourt Witness Statements of Karabeth Ovenden dated respectively 5 and 8 May 2025 and the Fourth Witness Statement of Rita Catherine Jaballah dated 7 May 2025 together with Exhibit RJ5

AND UPON the Court determining the 5 May Application on the papers

AND UPON the Order of H.E. Justice Michael Black dated 9 May 2025 (the "9 May Order")

AND UPON hearing Counsel of the Claimant and the Counsel of the Defendant at the Return Date hearing held on 12 May 2025 before H.E. Justice Michael Black

IT IS HEREBY ORDERED THAT:

Claimant's Application No. DEC-001-2025/6

1. The First Defendant shall, within 7 calendar days of the service of the Order, provide the Claimant's solicitors with:

(a) Unredacted copies of the First Defendant's bank statements in respect of its all of its accounts with the Second to Fourth Defendants which show the onward dealings with the monies paid to it by First Digital Trust Limited and Legacy Trust Limited;

(b) Electronic copies of the documents produced in Exhibits MWB2, MWB4 and MWB6 to the Third Affidavit of Matthew Willaim Brittain dated 10 April 2025 listed in Schedule 1 to this Order in their native format preserving the original metadata.

First Defendant's Application No. DEC-001-2025/8

2. The Claimant shall provide security for the First Defendant's costs of the Proceedings until 12 May 2025 in the sum of USD 650,000 by payment into the Court within 14 days of service of this Order.

3. In default of the provision of security as ordered pursuant to paragraph 2 above, the First Defendant shall have permission to apply to the Court on 48 hours' notice for an Order that:

(a) The claims made by the Claimant in the Proceedings (the "Claims") are struck out;

(b) The Claimant shall pay the First Defendant's costs of the Claims, such costs to be the subject of detailed assessment if not agreed;

(c) There shall be an inquiry pursuant to the Cross-Undertaking in Damages into whether the grant of the 28 February Order (as varied by the 18 March Order and the 14 April Order) has caused loss to the First Defendant and the quantum of that loss, with such inquiry to be the subject of further directions fixed at a case management conference on the first available date after the Claims are struck out (if such directions are not agreed between the Parties).

First Defendant's Application No. DEC-001-2025/9

4. The First Defendant's application is dismissed.

OTHER DIRECTIONS

5. The original Order of H.E. Justice Michael Black KC dated 28 February 2025 (as varied) shall continue until the Final Return Date Hearing, or further order of the Court.

6. The First Defendant has permission to serve rejoinder evidence in Application DEC-001- 2025/2 and reply evidence in Application DEC-001-2025/10 by no later than **4pm GST on 23 June 2025**.

7. The Parties shall agree the index of the bundle for the Final Return Date Hearing by 4 pm GST on 30 June 2025 and file the bundle with the Court by no later than **4pm GST on 7 July 2025.**

8. The Parties shall file and exchange skeleton arguments (up to 35 pages in length) by no later than **4pm GST on 14 July 2025.**

9. The Final Return Date Hearing shall commence on **21 July 2025** with an estimated length of hearing of 4 days. The hearing shall take place remotely but the Parties have liberty to apply that it take place in-person.

10. All matters of costs are reserved to Final Return Date Hearing.

Issued by:
Delvin Sumo
Assistant Registrar
Date of issue: 19 May 2025
At: 8am

Schedule 1 - Electronic copies of documents in Exhibits MWB2, MWB3, MWB4 and MWB6

Category of documents to be produced	References in Exhibits MWB2, MWB3, MWB4 and MWB6
Share registers	Pages 31-34 of MWB2 Page 1 of MWB3 Pages 622, 675 and 676 of MWB6
The subscription forms, the subscription confirmations, the distribution statements and redemption requests	Pages 1-30, 35, 68-81, and 143-156 of MWB2 Pages 11-13 of MWB4 Pages 1-114, 654-655 and 670 of MWB6
The net asset value statements	Pages 141-142 of MWB2 Pages 177-180 of MWB6
The Administrator's reports	Pages 159-160 of MWB2

Loans agreements and other contracts	Pages 166-331, 369-375, 471-477 of MWB2 Pages of 16-164, 501-508, 514-540, 543-552, 940-963, 965-972, 1094-1138, 1305-1311, 1325-1341 of MWB4 Pages 160-176, and 626-650 of MWB6
Invoices provided by Glassdoor	Pages 2-10 of MWB4
Trade Finance Facility	Pages 157-158 of MWB2
Documentation relating to the "securitisation"	Pages 86-103 of MWB2