Claim No. CFI-030-2019

IN DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN:

LARMAG HOLDING B.V.

Applicant

and

FIRST ABU DHABI BANK PJSC

First Respondent

FAB SECURITIES LLC

Second Respondent

IN AN INTENDED ACTION

BETWEEN:

LARMAG HOLDING B.V.

Intended Claimant

and

FIRST ABU DHABI BANK PJSC

Intended First Defendant

FAB SECURITIES LLC

Intended Second Defendant

MR ABDULLA SAEED ALJABRI

Intended Third Defendant

ELITE HOLDING GROUP LIMITED

Intended Fourth Defendant

ORDER OF JUSTICE SIR RICHARD FIELD

UPON the application by the Applicant by a Part 8 Claim Form dated 8 July 2019

AND UPON the Court hearing from the Applicant and the Respondents at a hearing on 17 and 18 July 2019

AND UPON the Court having received undertakings from the Applicant, *inter alia*, to pay into Court EUR 350,000 by no later than 24 July 2019 as security

AND UPON the Court issuing an injunction on 19 July 2019 (the "**Original Injunction**") over to 4.00 pm on 8 August 2019 restraining the Respondents from disposing of, dealing with or diminishing the value of: (i) any Reditum S.A. corporate bonds with International Securities Identification Number XS1257166956 held, at any time, in account number 47502 First Abu Dhabi Bank, Abu Dhabi (FAB), or in any other

account in the direct or indirect control of the Respondents (the "**Bonds**"); (ii) any interest paid in respect of the Bonds (the "**Interest**"); and (iii) any proceeds, fruits, interest or other income received, or derived, from the Bonds or the Interest (the "**Derivative Assets**")

AND UPON the Applicant having paid the sum of EUR 350,000 into Court

AND UPON the Applicant and the Respondents having requested a final determination on the question of the Court's jurisdiction

AND UPON the Jurisdictional Ruling of Justice Sir Richard Field dated 4 August 2019 (the "**Jurisdictional Ruling**") holding that the Court has jurisdiction over the Respondents in respect of the Applicant's claim

AND UPON the application of the Applicant seeking a continuation of the Original Injunction and for the Respondents to provide information about where, how and for whom the Bonds are held

AND UPON the application of the Respondents made in their written submissions served on 8 August 2019 for permission to appeal the Jurisdictional Ruling

AND UPON the Court having extended the Original Injunction, by an order dated 18 August 2019, until 13 October 2019

AND UPON the Court having granted the Respondents permission to appeal the Jurisdictional Ruling

AND UPON the Court of Appeal having dismissed the Respondents' appeal against the Jurisdictional Ruling by an Order dated 30 September 2019

AND UPON the Applicant having issued a substantive claim against the Respondents for recovery of the Bonds (the "**Substantive Claim**")

AND UPON hearing Counsel for the Applicant at a hearing on 10 October 2019 which the Respondents did not attend having given prior notice of their non-attendance.

IT IS HEREBY ORDERED AND DIRECTED THAT:

1.The Original Injunction granted herein is extended on the same terms, except as set out below, until the determination of the Substantive Claim or until further order of this Court.

2. Notwithstanding the terms of paragraph 7 of the Original Injunction, notice of this Order and the Original Injunction may be served, pursuant to RDC 20.55, on Mr Abdulla Saeed Aljabri (the Intended Third Defendant in the Substantive Claim) and Elite Holding Group Limited (the Intended Fourth Defendant in the Substantive Claim) at the email addresses set out in paragraph 7 of the Original Injunction.

3. Notwithstanding the terms of paragraph 9 of the Original Injunction, the terms of the Original Injunction as herein extended will affect, in addition to those persons identified in paragraphs 9.2 (a), (b), and (c) of the Original Injunction, the Intended Third Defendant and the Intended Fourth Defendant in the Substantive Claim.

4. To the extent that the information ordered be provided in this paragraph is available to and/or within the knowledge of the Respondents or any affiliate of the Respondents, the Respondents must inform the Applicant's solicitors in writing of the location, value and/or nature of the Bonds, Interest and any Derivative Assets. This information must include:

a. The names and addresses of all persons, including any financial institutions, holding the Bonds, Interest and any Derivative Assets.

b. The names and numbers of all accounts holding the Bonds, Interest and any Derivative Assets, together with the names and addresses of the institutions where such accounts are held, in whose name the accounts are held, the amount in such accounts, the addresses of those in whose name the accounts are held and, if those persons are corporate entities, their relevant corporate registration numbers, and if individuals, their national identification numbers.

5. The information to be provided pursuant to paragraph 4 above must be provided within 7 working days of service of this Order by service on the Applicant's legal representatives of an affidavit sworn on behalf of both Respondents by an appropriate officer for each Respondent.

6. Costs are reserved except for the costs of the jurisdictional issue at first instance. Submissions as to whether the Applicant should have its costs of the jurisdictional issue at first instance must be filed and served by 4 pm on 17 October 2019 and any reply submissions must be filed and served by 4 pm on 24 October 2019.



Issued by:

Amna Al Owais

Registrar

Date of issue: 13 October 2019

Time: 11am