Claim No. ENF 084/2023
ENF 085/2023

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

JTRUST ASIA PTE. LTD.

Claimant/Applicant

and

(1) MITSUJI KONOSHITA
(2) A.P.F. GROUP CO., LTD (IN RECEIVERSHIP)

Defendants/Respondents

ORDER OF JUSTICE WAYNE MARTIN

PENAL NOTICE

IF YOU MR MITSUJI KONOSHITA DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY, BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

IF YOU A.P.F. GROUP CO., LTD (IN RECEIVERSHIP) DISOBEY THIS ORDER YOU (AND/OR YOUR DIRECTORS) MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE FINED OR HAVE YOUR ASSETS SEIZED AND YOUR DIRECTORS IMPRISONED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE RESPONDENTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

UPON reviewing the Applicant's P45/01 application (ENF-084-2023) dated 5 April 2023 for the enforcement of the judgment issued by the Virgin Islands High Court of Justice, Commercial Division on 4 May 2022, in Claim No. BVIHC (COM) 226 of 2017 (the "Judgment") and the Applicant's P50/01 application (ENF-085-2023) dated 5 April 2023 for an order to obtain information from the Respondents (together the "Enforcement Applications")

AND UPON the Applicant's Application No. ENF-084-2023/1 dated 5 April 2023 for a worldwide freezing order against the Respondents and subsequent application notice ENF- 084-2023/2 issued on 24 April 2023 to continue the worldwide freezing order (the "Worldwide Freezing Order Applications")

AND UPON the Order of Justice Wayne Martin dated 7 April 2023 granting a worldwide freezing order against the Respondents at an ex parte hearing on 6 April 2023 (the "Worldwide Freezing Order")

AND UPON hearing counsel for the Applicant and the Respondents at the Return Date hearing on 25 April 2023 (the "Hearing")

IT IS HEREBY ORDERED THAT:

1. The Enforcement Applications are stayed pending the commencement of proceedings by the Applicant under Part 7 of the Rules of the DIFC Courts.

2. The Worldwide Freezing Order (including in particular the freezing injunction granted by paragraphs 6 to 9 of the Worldwide Freezing Order) shall continue in force on the same terms, until further Order of the Court.

3. The costs of the Enforcement Applications, the Worldwide Freezing Order Applications and of the Hearing are costs in the case.

4. The parties shall have liberty to apply.

Issued by:
Hayley Norton
Assistant Registrar
Date of Issue: 27 April 2023
At: 11am