

**IMPORTANT NOTICE TO ALL CUSTOMERS AND CREDITORS OF MONTAQUE CAPITAL  
PARTNERS LTD. (IN LIQUIDATION)**

The Joint Voluntary Liquidators (the Liquidators) hereby notify all Customers and Creditors of Montaque Capital Partners Ltd. (In liquidation) (“the Company”) that further to the determination by the Supreme Court of the Bahamas on the 2<sup>nd</sup> December, 2011 that the costs of the Liquidation and the Liquidators’ remuneration should be paid from all available assets held by the Company including those determined to be held on trust by the Company they have applied by [Summons](#) to the Supreme Court of the Bahamas for the determination by it of the question whether any of the assets held by the Company are held on trust by it for its customers and thus are trust assets and, if so for directions as to the manner in which the costs incurred in the course of the Liquidation and the remuneration of the Liquidators should be paid therefrom and by [Summons](#) for the approval by the Supreme Court of those costs (“the liquidation costs”) from the inception of the liquidation to 31<sup>st</sup> January, 2013 so that such costs as are approved may be paid accordingly.

The [Third Affidavit](#) of Edmund L. Rahming

- i) Identifies the assets held by the Company and the value thereof
- ii) Sets out the facts which have led the Joint Liquidators to believe that the majority of the assets held by the Company are held on trust for its customers and thus belong to the Company’s customers and not to the Company
- iii) Sets out the approach which might be adopted to the payment of the liquidation costs from the available assets
- iv) Sets out in a schedule the costs which have been incurred from inception of the liquidation to date and segregates those costs into the following categories namely,
  - a) **General liquidation costs** which are costs deemed to be for the benefit of **all** the assets held;
  - b) **Canadian costs** which are costs deemed to be for the benefit of assets held in Canada and;
  - c) **MPW costs** which are costs incurred primarily in preventing the customer assets held at MacQuarie Private Wealth, (MPW) from being applied by MPW to settle a third party debt

The [Fourth Affidavit](#) of Edmund L Rahming

- i) Sets out the nature and purpose of the work that has been performed by the Liquidators since the inception of the Liquidation to 31<sup>st</sup> January, 2013 and exhibits their itemized invoices in respect thereof;
- ii) Sets out the nature and purpose of the work that has been performed by those retained to assist the Liquidators' including the staff of Krys Global and the Liquidators' Bahamian and Canadian Attorneys and others and exhibits the itemized invoices in respect thereof;

The Liquidator's Affidavits do **not** reveal any confidential information relating to its customers or the assets which it holds for them and, where necessary, the invoices exhibited to the Fourth Affidavit were redacted.

Any customer wishing to find out how the application may affect them and the assets held for them may contact the Liquidators directly.

The Liquidators' application is fixed for hearing before His Lordship the Honourable Sir Michael Barnett, Chief Justice, in chambers at the Supreme Court, BAF Financial Centre, Fourth Floor commencing at 10am on Monday, the 25<sup>th</sup> day of March, A.D., 2013.

If you intend to appear on the hearing of the Liquidators' applications you will need to file a Notice of Appearance in the proceedings or to instruct an Attorney in the Bahamas to do so for you. The Appearance needs to be filed in the Registry of the Supreme Court of the Bahamas and to be in one or other of the forms shown, depending on whether you are claiming a debt owed to you ([Creditor's Appearance](#)) or you are claiming that the Company is holding assets beneficially owned by you ([Customer's Appearance](#)). It will need to be served on the Liquidators no later than 4pm on 19<sup>th</sup> March, 2013.

You may access the aforementioned documents by clicking on the highlighted name of the document.

If you are a customer or creditor of the Company and you need any further information or clarification in regard to the application and the questions to be determined please contact the Liquidators directly and they will do their best to assist you.

Dated this 5<sup>th</sup> day of March, 2013.

Messrs. Kenneth Krys and Edmund L. Rahming  
Joint Voluntary Liquidators  
Montaque Capital Partners Ltd (In liquidation)  
KRyS Global  
Caves Professional Centre  
Caves Village  
Blake Road, West Bay Street  
Nassau,  
The Bahamas  
Tel: (242) – 327-1447  
Fax: (242) – 327-3288  
e-mail: [Edmund.rahming@krys-global.com](mailto:Edmund.rahming@krys-global.com)