

COMMONWEALTH OF THE BAHAMAS

SUPREME COURT

DEC 09 2011

2011

IN THE SUPREME COURT
Commercial Division

NASSAU, BAHAMAS COM/bnk/00083

IN THE MATTER OF MONTAQUE CAPITAL PARTNERS LTD.
(In Voluntary Liquidation)

AND

IN THE MATTER OF THE COMPANIES ACT, 1992

*M.M.D. W
9th Dec 2011*

ORDER

Dated this 2nd day of December A.D., 2011

BEFORE His Lordship the Honourable Sir Michael Barnett Chief Justice of the
Supreme Court of the Commonwealth of the Bahamas sitting in open Court

UPON the application of the Joint Liquidators of Montaque Capital Partners Ltd
(in Voluntary Liquidation) (hereafter "the Company") by Summons filed herein on the
29th November 2011

UPON READING the Second Affidavit of Edmund L. Rahming filed herein on the
30th November 2011

AND UPON HEARING Mr. Brian C. Simms QC with Ms. Metta MacMillan Hughes
of Counsel for the Liquidators

IT IS HEREBY ORDERED as follows

1. That the Liquidators shall be paid from all available assets held by the Company comprising both those assets which shall be determined to belong to the Company and those which shall be determined to be held on trust by the Company their full remuneration and costs together with those of their staff and legal advisers in connection with the conduct of the liquidation and the carrying out by them of any work undertaken for the following purposes:
 - (i) identifying or attempting to identify those assets;
 - (ii) recovering or attempting to recover those assets;
 - (iii) realizing or attempting to realise those assets;
 - (iv) protecting or attempting to protect those assets
 - (v) any such other work which is of benefit to those assetswithout prejudice to an application at a later date for the determination by the Court as to how such remuneration and costs may subsequently be equitably apportioned between those assets and those of the Company insofar as the same are available.
2. That the Liquidators shall be at liberty to give notice of any applications they may from time to time make to the Court, to creditors of the Company and or to those persons who the Liquidators determine have, or may have, an interest in any trust assets held by the Company or to those who have claimed to have such interest, by e-mail (where e-mail addresses are available to the Liquidators); by advertisement in the local newspaper and by notice on the dedicated web site which the Liquidators have established for the purpose of keeping all those having an interest in the liquidation informed.

3. That the Liquidators' application for the fixing of their terms and rates of remuneration and of their legal advisors, Lennox Paton, shall be adjourned to a date to be fixed.
4. That the costs of and occasioned by this application shall be costs in the liquidation.

BY ORDER OF THE COURT

REGISTRAR

This Order was drawn up by Lennox Paton Chambers, Fort Nassau Centre, Marlborough Street, Nassau, Bahamas, Attorneys for the Liquidators.

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Lennox Paton

LENNOX PATON

Chambers

Fort Nassau Centre

Marlborough Street

Nassau, Bahamas

Attorneys for the Liquidators