

SUPREME COURT

DEC 05 2011

NASSAU, BAHAMAS

COMMONWEALTH OF THE BAHAMAS

2011

IN THE SUPREME COURT

COM/bnk/00083

Commercial Division

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

AND

IN THE MATTER OF THE COMPANIES ACT, 1992

ORDER

By: His Lordship the Honourable Chief Justice Sir Michael Barnett

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

UPON THE PETITION of Montaque Capital Partners Ltd. ('In Voluntary Liquidation') ('the Company') by its Joint Liquidators Messrs. Kenneth Kryss and Edmund Rahming filed herein on the 24th October 2011.

AND UPON READING the said Petition, the Verifying Affidavit filed herein the 28th October 2011, the Affidavit of Jody C. Wells filed herein on the 22nd November 2011, the Memorandum Pursuant to Rule 24 of the Companies (Winding-Up) Rules filed herein on the 29th November 2011 by which the Assistant Registrar of the Supreme Court confirmed that the Petitioner has satisfied her of the Petitioner's compliance in this matter with the said rules, and the Second Affidavit of Edmund Rahming filed herein on the 30th November 2011.

*M. Barnett
2nd Dec 2011*

AND UPON THE NOMINATION by the Petitioner for the appointment of Messrs. Kenneth Krys and Edmund Rahming as the Joint Official Liquidators of the Company, with authority to act jointly or severally, and there being no other nomination before the Court.

AND UPON READING the Affidavit of Mr. Christopher V. Stuart as to the Fitness of the said Mr. Rahming filed herein on the 28th October 2011, and the Affidavit of Ms. Laura Hatfield as to the Fitness of Mr. Krys filed herein on the 3rd November 2011.

AND UPON HEARING Mr. Brian C. Simms QC with Miss. Sophia T. Rolle of Counsel for the Petitioner, Miss. Sharmon Y. Ingraham of Counsel for Febbwest Corporation Ltd. claiming to be a fiduciary/creditor claimant, Mr. Gawaine Ward of Counsel for the Securities Commission of The Bahamas and Mr. Raynard Rigby of Counsel for the Directors of the Company all supporting the Petition.

IT IS ORDERED

1. That the voluntary winding up of the Company be continued under the supervision of the Court pursuant to Section 244 of the Companies Act 1992.
2. Pursuant to Rule 31 of the Companies (Winding-Up) Rules that Messrs. Kenneth Krys and Edmund L. Rahming, Accountants of KRyS Global be appointed Joint Official Liquidators of the Company with authority to act jointly or severally.

3. Pursuant to Section 199 of the Companies Act 1992, no security is required to be given by the Joint Official Liquidators on their appointments.
4. Pursuant to Section 229 of the Companies Act 1992, the Joint Official Liquidators may exercise any and all of the powers set forth in Section 202 of the Companies Act and are hereby authorized accordingly.
5. Pursuant to Section 205 of the Companies Act 1992 the Joint Official Liquidators may appoint Messrs. Lennox Paton, Counsel and Attorneys-at-Law in The Bahamas and attorneys abroad as may be necessary to assist them in the performance of their duties and are hereby authorized accordingly.
6. That Notice of the appointment of the Joint Official Liquidators be advertised by the Company once in each of the Tribune and the Nassau Guardian within The Bahamas within 14 days of the date of this Order.
7. That the Joint Official Liquidators do file every six (6) months with the Court a Report in writing as to the position of and the progress made with the winding-up of the Company and with the realization (if any) of the assets thereof and as to any other matters connected with the winding-up of the Company as the Court may from time to time direct.
8. That the costs of these proceedings incurred by the Petitioner and any supporting creditor or contributory be paid out of the assets of the Company.

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
Attorneys-at-Law
Chambers, Fort Nassau Centre
Marlborough Street
Nassau, Bahamas

Attorneys for the Petitioners