

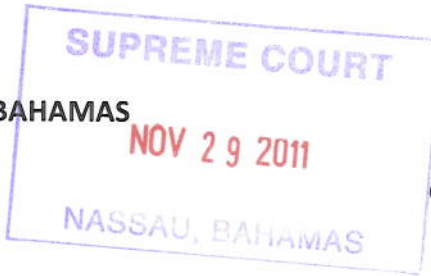
COMMONWEALTH OF THE BAHAMAS

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

SUMMONS

LET ALL PARTIES CONCERNED attend before His Lordship the Honourable Sir Michael Barnett, Chief Justice of the Commonwealth of the Bahamas in Chambers, Supreme Court, Fourth Floor, British American Bank Building Marlborough Street Annex on Friday the 2nd day of December A.D., 2011 at 10:30 o'clock in the fore noon on the hearing of an application by Mr. Kenneth Krys and Mr. Edmund Rahming, the Liquidators of Montaque Capital Partners Ltd. (In Voluntary Liquidation) ("the Company"), pursuant to Section 235 of the *Companies Act, 1992* for the determination by the Court of the following questions namely:

1. Whether it is reasonable for the Liquidators, who anticipate that some of the assets held by the Company may, as a result of their investigations be determined by them, or by the Court, to be trust assets, to nevertheless be paid therefrom their full remuneration and costs together with those of their

staff and legal advisers in connection with the general 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 assets

and, if so, for an order that the Liquidators shall be so paid therefrom without 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. Whether, the agreed hourly rates of remuneration of the Liquidators, their staff and their legal advisers, Lennox Paton, are deemed reasonable and if so, for an Order that those rates be fixed.
3. Whether, insofar as the Liquidators may wish to give notice of such application or applications as 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 the trust assets or to those who have claimed to have such interest, it is reasonable that such notification be made by e-mail (where e-mail addresses are available to the Liquidator); 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, and if so, for directions accordingly;

4. Whether, insofar as the Company also holds assets in Canada, the United States, Ireland; the Cayman Islands; Belize and Switzerland, this Court deems it appropriate to make a Request directed to any Court, Tribunal, Regulatory or Administrative body in any of those countries for the recognition of the Orders of this Court made herein (or for other orders consistent with recognition as they may apply in any of those countries) and seeking their aid and assistance in making such orders and granting such assistance to the Liquidators as may be necessary to give effect to those Orders and or to aid the Liquidators in the carrying out of their duties and functions in connection with the liquidation, the Court deems it appropriate to make such a Request and, if so, that it makes such Request.
5. That the costs of and occasioned by this application be costs in the liquidation.

DATED this 29th day of November A.D., 2011

R E G I S T R A R

This Summons was taken out by Lennox Paton Chambers, Fort Nassau Centre, Marlborough Street, Nassau, Bahamas, Attorneys for the Liquidators.

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LENNOX PATON

Chambers

Fort Nassau Centre

Marlborough Street

Nassau, Bahamas

Attorneys for the Liquidators