

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION**

Cause No.: FSD 185 of 2016 (RMJ)

IN THE MATTER OF SECTION 46 OF THE COMPANIES LAW (2016 REVISION)

AND IN THE MATTER OF DUTCHESS PRIVATE EQUITIES CAYMAN FUND LTD

BETWEEN: CANNONBALL PLUS FUND LTD PLAINTIFF

AND: DUTCHESS PRIVATE EQUITIES CAYMAN FUND LTD DEFENDANT

IN OPEN COURT

**Appearances: Mr. Tom Lowe Q.C instructed by Ms Laura Hatfield of Solomon Harris
for the Plaintiff
Mr. Fraser Hughes of Conyers, Dill & Pearman for the Defendant**

Before: The Hon. Justice Robin McMillan

Heard: 22 and 23 March 2018

**Judgment
Delivered: 12 April 2018**



JUDGMENT

1. This is an application by CannonBall Plus Fund Ltd ("the Plaintiff") by way of Originating Summons dated 3 November 2016. The application has been opposed by Dutchess Private Equities Cayman Fund Ltd ("the Defendant").

2. The Originating Summons sought the following Orders that:

- "1. Pursuant to Section 46 of the Companies Law (2016 Revision) (the 'Law'), the Register of Members of Dutchess be rectified by entering the name of Cannonball Plus Fund Ltd as holder of 1,855.9022 Base Series 7 shares on the basis of a transfer dated 15 April 2016 of such shares from ABN Amro Global Custody Services N.V to the Plaintiff.*
- 2. The cost of this Originating Summons be paid by Dutchess.*
- 3. There be such further or alternative relief granted as the Court shall think fit."*

3. The hearing of this application took place on 22 and 23 March 2018 and thereupon the Court reserved Judgment.
4. After appropriate consideration the Court hereby grants to the Plaintiff the rectification relief sought in paragraph 1 of the Plaintiff's Originating Summons.
5. The Reasons for Judgment will be delivered in due course.
6. The Court will hear the Plaintiff and the Defendant as to costs at a time convenient to counsel and to the Court.

Robin McMillan

The Hon. Mr. Justice Robin McMillan
Judge of the Grand Court

