

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO. FSD 36 OF 2011 (PCJ)

THE HON SIR PETER CRESSWELL

BETWEEN

ORIGAMI PARTNERS III, LP

Plaintiff

AND:

- (1) PURSUIT CAPITAL PARTNERS (CAYMAN) LTD
- (2) PURSUIT CAPITAL PARTNERS MASTER (CAYMAN) LTD
- (3) PURSUIT INVESTMENT MANAGEMENT LLC

Defendants

ORDER

UPON THE Defendants' Summons dated 4 October 2012 ("the Disclosure Summons")

AND UPON THE Plaintiff's Summons dated 15 November 2012 ("the Strike Out Summons")

AND UPON HEARING Counsel for the Plaintiff and Counsel for the Defendants

AND UPON READING the First Affidavit of Alexandra Bethell and the Third and Fourth Affidavits of Frank Canelas Jr.

IT IS ORDERED that:

1. The Disclosure Summons be dismissed;
2. Unless the Defendants do by 7 December 2012 comply with paragraphs 3 and 6 of the Order of the court dated 22 October 2012, the defence be struck out insofar as it relates to reserve or holdback, as set out in the Annex A to this Order, and the Defendants shall be debarred from pursuing such defences.
3. The Defendants shall pay the Plaintiff's costs of the Disclosure Summons and the Strike Out Summons, to be taxed on the standard basis if not agreed.



DATED this 21st day of November 2012

FILED this 5th day of November 2012

February

Cresswell J

THE HONOURABLE JUSTICE CRESSWELL
JUDGE OF THE GRAND COURT



This ORDER was filed by Walkers, attorneys for the Defendants whose address for service is Walker House, 87 Mary Street, George Town, Grand Cayman KY1-9001

Annex A

Of the Amended Defence, dated 14 June 2011:

- paragraph 4(iii) to 4(v)
- paragraph 5(i) from '*being the entirety*' to the end of that sub-paragraph
- paragraph 5 (iii)
- paragraph 7(iii)

