



IN THE GRAND COURT OF THE CAYMAN ISLANDS

FINANCIAL SERVICES DIVISION

CAUSE NO: FSD OF 2022 ()

BETWEEN:

ABRAAJ ABOF IV SPV LIMITED

PLAINTIFF

AND:

**ABRAAJ GENERAL PARTNER VIII LIMITED,
IN ITS CAPACITY AS THE GENERAL PARTNER OF
NEOMA PRIVATE EQUITY FUND IV L.P.**

DEFENDANT

WRIT OF SUMMONS

TO: Abraaj General Partner VIII Limited of Maples Corporate Services Limited, P. O. Box 309 Uglan House, South Church Street, George Town, Grand Cayman KY1-1104, Cayman Islands.

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the following pages.

Within 14 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495G, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

1

THIS WRIT AND STATEMENT OF CLAIM was issued by Walkers, Attorneys-at-Law for the Plaintiff, whose address for service is 190 Elgin Avenue, George Town, Grand Cayman, KY1-9001, Cayman Islands.

13472220.1 M3095.D07657

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 15th day of March 2022

NOTE - This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

2

THIS WRIT AND STATEMENT OF CLAIM was issued by Walkers, Attorneys-at-Law for the Plaintiff, whose address for service is 190 Elgin Avenue, George Town, Grand Cayman, KY1-9001, Cayman Islands.

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STATEMENT OF CLAIM

1. Abraaj ABOF IV SPV Limited (the "**Plaintiff**") is a Cayman Islands exempted company incorporated on 1 September 2008 with registration number 216431. The Plaintiff is a limited partner of Neoma Private Equity Fund IV L.P. ("**NPEF IV**" or the "**Fund**") (formerly known as Abraaj Private Equity Fund IV L.P.), a Cayman Islands exempted limited partnership. Abraaj General Partner VIII Limited (the "**Defendant**") is a Cayman Islands exempted company incorporated on 1 May 2008 with registration number 209811. The Defendant the sole general partner of NPEF IV.
2. As a limited partner of the Fund the Plaintiff is entitled, and the Defendant is obliged to provide, upon demand, true and full information regarding the state of the business and financial condition of the Fund pursuant to section 22 of the Exempted Limited Partnership Act (2021 Revision) (the "**ELP Act**").
3. The Plaintiff made a demand for such information on 6 August 2021 in the terms set out in its counterclaim (the "**Counterclaim**") in Cause No: FSD 322 OF 2020 (RPJ) (the "**Parallel Dispute**"), namely:
 - (a) copies of drawdown notices issued to ABOF IV and/or confirmation of drawdown dates and amounts;
 - (b) copies of all bank statements relating to bank accounts opened in the name of the Defendant, NPEF IV, the Plaintiff, Abraaj Investment Management Limited ("**AIML**") and Abraaj Holdings ("**AH**");

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- (c) copies of all internal ledgers (as opposed to extracts) for NPEF IV, AH and AIML and any ledger entries relating to any of the drawdowns for which ABOF IV was liable;
 - (d) copies of full general ledgers of any other entity which is recorded to have settled commitments on behalf of the limited partners of NPEF IV;
 - (e) copies of all limited partner investment summary statements, which the Plaintiff understands were issued by AIML as the former investment manager of NPEF IV;
 - (f) copies of all emails and written correspondence between Neoma Manager (Mauritius) Limited (the "**Manager**"), the former manager, AIML, and the Defendant relating to ABOF IV; and
 - (g) the ABOF IV Loan Agreement (as described in the Counterclaim); and
 - (h) all documents effecting the Management Transfer (as described in the Counterclaim).
4. The Defendant has wrongfully, and in breach of its statutory duty contained in section 22 of the ELP Act aforesaid, failed and refused to supply the information sought.

AND THE PLAINTIFF claims:

1. A declaration that the Plaintiff is entitled to receive from the Defendant true and full information regarding the state of the business and financial condition of the Fund.

2. That the Defendant do forthwith provide to the Plaintiff true and full information regarding the state of the business and financial condition of the Fund, in particular:
 - (a) copies of drawdown notices issued to ABOF IV and/or confirmation of drawdown dates and amounts;
 - (b) copies of all bank statements relating to bank accounts opened in the name of the Defendant, NPEF IV, the Plaintiff, AIML and AH;
 - (c) copies of all internal ledgers (as opposed to extracts) for NPEF IV, AH and AIML and any ledger entries relating to any of the drawdowns for which ABOF IV was liable;
 - (d) copies of full general ledgers of any other entity which is recorded to have settled commitments on behalf of the limited partners of NPEF IV;
 - (e) copies of all limited partner investment summary statements, which the Plaintiff understands were issued by AIML as the former investment manager of NPEF IV;
 - (f) copies of all emails and written correspondence between the Manager, the former manager, AIML, and the Defendant relating to ABOF IV;
 - (g) the ABOF IV Loan Agreement (as described in the Counterclaim); and
 - (h) all documents effecting the Management Transfer (as described in the Counterclaim).

3. Partnership accounts, including an account of the receipts and payments dealings and transactions of the Defendant in respect of the business and assets of the Fund.
4. Costs; and
5. Such further or other relief as the Court sees fit.

DATED the 15th day of March 2022

Walkers (Cayman) LLP

WALKERS (CAYMAN) LLP
Attorneys-at-Law for the Plaintiff

6

THIS WRIT AND STATEMENT OF CLAIM was issued by Walkers, Attorneys-at-Law for the Plaintiff, whose address for service is 190 Elgin Avenue, George Town, Grand Cayman, KY1-9001, Cayman Islands.

13472220.1 M3095.D07657