



IN THE GRAND COURT OF THE CAYMAN ISLANDS

FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 227 of 2018 (IKJ)

BETWEEN:

FORTUNATE DRIFT LIMITED

Plaintiff

AND

CANTERBURY SECURITIES, LTD.

Defendant

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ORDER

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**UPON** the application of the Plaintiff by way of summons dated 6 August 2021 (the *Plaintiff's Application*) and the application of the Defendant by way of summons dated 9 September 2021 (the *Defendant's Application* and together with the *Plaintiff's Application*, *the Applications*)

**AND UPON** reading the First Affidavit of Erin Winczura with Exhibit EW-1, the Eighth and Ninth Affidavit of Dominic Sin with Exhibits DS-8 and DS-9, the Second Affidavit of Bart Larsen with Exhibit BKL-2, the Second Affidavit of Aaron Shipley with Exhibit AS-1 and the Sixth Affidavit of Eric Miller with Exhibit ELM-6

**AND UPON** hearing Leading Counsel for the Plaintiff and Leading Counsel for the Defendant

**AND UPON** the Court of its own motion determining that it considered the Applications unsuitable for summary determination

**IT IS ORDERED THAT**

1. The Plaintiff's Application is dismissed.
2. The Defendant's Application is dismissed.

3. The costs of and occasioned by the Plaintiff's Application and the Defendant's Application are reserved for determination following the trial in this proceeding.

Dated this 23rd day of March 2022

Filed this 23rd day of March 2022

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**The Honourable Justice Kawaley**  
**Judge of the Grand Court**

APPROVED AS TO FORM AND CONTENT



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Harney Westwood & Riegels  
Attorneys for the Plaintiff



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Kobre & Kim (Cayman)  
Attorneys for the Defendant