



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

**CAUSE No. FSD 79 OF 2022 (DDJ)**

**IN THE MATTER OF THE COMPANIES ACT (2022 REVISION)  
AND IN THE MATTER OF POSITION MOBILE LTD SEZC**

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**ORDER**

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**UPON** the Summons for Directions dated 12 September 2022

**AND UPON** the Consent Order dated 11 October 2022 (the '**October Consent Order**')

**AND UPON** Technology Investment Consortium, LLC (the '**Petitioner**') and Genimous Investment (Hong Kong) Co., Ltd and Genimous Holding (HK) Limited (together '**Genimous**') (and altogether, the '**Parties**') having agreed to the terms of this order for directions

**IT IS ORDERED BY CONSENT THAT:**

1. Paragraphs 5 to 15 of the October Consent Order are discharged.

**Pleadings**

2. Genimous shall file and serve a Rejoinder by no later than 4pm on 30 November 2022.

**Discovery and Inspection**

3. The Parties shall agree categories of documents for disclosure by no later than 4pm on 8 February 2023.
4. The Parties shall exchange lists of documents on 4pm on 15 March 2023.
5. Any request for inspection or copies of disclosed documents shall be made within 7 days of the service of the list and shall be responded to (through disclosure of the relevant document(s)) by 4pm on 22 March 2023.

**Amended Pleadings**

6. The Parties be permitted to amend their pleadings in accordance with the following timetable:
  - a. The Petitioner be permitted to file and serve an Amended Points of Claim by no later than 4pm on 19 April 2023;
  - b. Genimous be permitted to file and serve an Amended Defence by no later than 4pm on 3 May 2023; and
  - c. The Petitioner be permitted to file and serve an Amended Reply by no later than 4pm on 17 May 2023.
  - d. Genimous be permitted to file and serve an Amended Rejoinder by no later than 4pm on 17 June 2023.

**Expert Evidence**

7. The Parties shall each have leave to instruct one expert witness in the field of company valuation (together, the "**Experts**") to address issues relating to the valuation of the Position Mobile Ltd SEZC.

8. The Parties shall attempt to agree a list of issues for the Experts to opine on in their reports, in accordance with the Financial Services Divisions Guide (Second edition), within 21 days after the date for filing and serving an Amended Rejoinder and, if no agreement is reached, the parties shall instruct their Experts as such and the Experts shall identify such areas of disagreement in their reports.
9. The Parties shall exchange signed Expert reports by 4pm on 35 days after the expiry of the 21 day period for agreeing the list of issues (as per paragraph 8 above).

#### **Evidence of Fact**

10. Any evidence upon which either party wishes to rely be given by affidavit with each party to notify the other in writing of the identity of any witness or witnesses of fact whom they wish to cross-examine within 14 days after the date for filing and service of the Petitioner's evidence in reply.
11. The Petitioner shall file and serve any evidence of fact upon which it intends to rely and / or hearsay notices of those witnesses by 4pm on 14 June 2023.
12. Genimous shall file and serve any evidence of fact upon which it intends to rely and / or hearsay notices of those witnesses by 4pm on 28 June 2023.
13. The Petitioner shall file and serve any evidence in reply to the evidence of Genimous, if so advised by 4pm on 12 July 2023.

#### **Trial**

14. The trial of the Petition be set down for 3 days not before 9 August 2023 and counsel to liaise with court administration in that respect.

#### **Liberty to Apply**

15. Each party shall be at liberty to apply

THIS ORDER is filed by Walkers, the attorneys for Genimous, whose address for service is that of its said attorneys, 190 Elgin Ave, George Town, Grand Cayman, Cayman Islands.

**Costs**

16. Costs in the cause.

DATED this 12 day of January 2023

FILED this 12 day of January 2023

*David Doyle*

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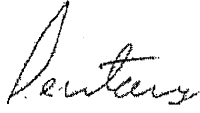
**THE HON. JUSTICE DAVID DOYLE**  
**JUDGE OF THE GRAND COURT**

THIS ORDER is filed by Walkers, the attorneys for Genimous, whose address for service is that of its said attorneys, 190 Elgin Ave, George Town, Grand Cayman, Cayman Islands.

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Agreed as to form and content



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Dentons  
Attorneys for the Petitioner



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Walkers (Cayman) LLP  
Attorneys for Genimous