



COURT OF THE CAYMAN ISLANDS

CAUSE NO: FSD 263 OF 2021 (DDJ)

FINANCIAL SERVICES DIVISION

BETWEEN:

ASPECT PROPERTIES JAPAN GODO KAISHA

APPLICANT

ICG I

RESPONDENT

CONSENT ORDER

UPON the Order dated 9 September 2021 (the “**Injunction Order**”) *inter alia* granting an injunction against the Respondent from selling or transferring any of its assets including the apartments described as Units 201 and 203 at Aspect Niseko, 169-32 Aza-Yamada, Kutchan-cho, Abuta-gun, Hokkaido, Japan (the “**Properties**”).

AND UPON the Court appointing LAI Kar Yan (Derek) and Michael Green of Deloitte (the “**Receivers**”) as joint receivers and managers of the assets, property and effects of the Respondent including the Properties.

AND UPON the Order dated 24 September 2021 continuing paragraphs 1 to 8 of the Injunction Order until the determination of these proceedings (the “**Proceedings**”).

AND UPON the Applicant and Respondent reaching agreement to settle all claims as between them in the Proceedings on terms confidential as between them, which terms include the transfer of the Properties from the Respondent to the Applicant and the discharge of the Injunction Order and the Receivers.

This **ORDER** is filed by Campbells LLP, Attorneys-at-law for the Applicant whose address for service is Floor 4 Willow House, Cricket Square, George Town, Grand Cayman KY1-1104, Cayman Islands (SRF/LMF/19230-33949)

AND UPON the Applicant and Respondent seeking to have the orders herein approved by consent pursuant to Order 42, Rule 5A of the Grand Court Rules.

AND UPON there being no objection by the Receivers to the Court making the orders sought herein.

IT IS HEREBY ORDERED BY CONSENT THAT:

- 1 Paragraph 1 of the Injunction Order be amended to allow for the transfer of the Properties from the Respondent to the Applicant.
- 2 The Injunction Order be discharged and the Receivers be discharged and released from the date of completion of the transfer of the Properties from the Respondent to the Applicant, being the date on which the Applicant is in receipt of the title deeds evidencing the Applicant's ownership of the Properties.
- 3 The Applicant shall pay the reasonable fees, costs and expenses of the Receivers in respect of the receivership.
- 4 There shall be no order as to costs as between the Applicant and Respondent with respect to the Injunction Order and this application.

Dated this 24 day of April 2023

Filed this 24 day of April 2023

David Doyle

The Honourable Justice David Doyle
Judge of the Grand Court

Approved as to form and content



Campbells LLP
Attorneys for the Applicant



Carey Olsen
Attorneys for the Respondent