



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

FSD CAUSE NO. 268 OF 2021 (IKJ)

**IN THE MATTER OF THE COMPANIES ACT (2021 REVISION)
AND IN THE MATTER OF PRINCIPAL INVESTING FUND I LIMITED**

CREDIT SUISSE LONDON NOMINEES LTD

Petitioner

-and-

**(1) PRINCIPAL INVESTING FUND I LIMITED
(2) FLOREAT PRINCIPAL INVESTMENT MANAGEMENT LIMITED**

Respondents

ORDER

UPON the summons dated 3 May 2023 filed by the Second Respondent seeking orders to strike out or otherwise summarily determine the Petition (**Strike Out Summons**)

AND UPON the in private hearing of the Strike Out Summons on 11 May 2023

AND UPON the Court handing down judgment on the Strike Out Summons at an in public hearing on 12 May 2023 (**Judgment**)

AND UPON hearing leading counsel for the Petitioner and leading counsel for the Second Respondents

IT IS ORDERED THAT:

1. The Strike Out Summons is dismissed.

2. The following documents filed in relation to the Strike Out Summons shall be kept confidential by the parties and shall be sealed on the Court File:
 - a. The First Affidavit of Roy McComb dated 2 May 2023.
 - b. The Third and Fourth Affidavits of the Witness (as defined in the Judgment) dated 5 and 9 May 2023 respectively.
 - c. The Third Affidavit of William Geddes dated 5 May 2023.
 - d. The First Affidavit of Alan William White dated 5 May 2023 and Exhibit AWW1.
 - e. The Fifth Affidavit of Andrew Cooke dated 5 May 2023 and Exhibit AJC5.
 - f. The Second Affidavit of Oliver James Elgie dated 5 May 2023 and Exhibit OJE2.
 - g. The Second Affidavit of Roy McComb dated 5 May 2023.
 - h. The First Affidavit of William Duff dated 5 May 2023.
 - i. The Second Affidavit of David James Lee dated 2 May 2023.
 - j. The First Affidavit of Matthew Cawthorne dated 8 May 2023 and Exhibit MC1.
 - k. The Third Affidavit of David Lee dated 8 May 2023 and Exhibit DJL-3.
 - l. The Thirteenth Affidavit of Michael Pearson dated 8 May 2023.
 - m. The First Affidavit of Zubair Ahmad KC dated 9 May 2023 and Exhibit ZA-1.
 - n. The Fifth Affidavit of Andrew John Ford dated 8 May 2023 and Exhibit AJF-5.
 - o. The Third Affidavit of Roy McComb dated 9 May 2023.
 - p. The Second Affidavit of William Duff dated 9 May 2023.
 - q. The First Affidavit of Zoe Johnson KC dated 9 May 2023.
3. The transcript of the in private hearing of the Strike Out Summons shall be kept confidential by the parties.
4. The Second Respondent do pay the Petitioner's costs of the Strike Out Summons on the standard basis, to be taxed if not agreed.

5. The Second Respondent's application for leave to appeal against paragraph 1 of this Order is refused.

DATED this 16th day of May 2023

FILED this 17th day of May 2023



The Honourable Justice Ian Kawaley
JUDGE OF THE GRAND COURT

This **Order** was filed by Appleby (Cayman) Limited, Attorneys-at-Law for the Petitioner, whose address for service is 71 Fort Street, PO Box 190 GT, Grand Cayman, KY1-1104, Cayman Islands.

APPROVED AS TO FORM AND CONTENT

Appleby (Cayman) Limited

Appleby (Cayman) Limited
Attorneys for the Petitioner



Forbes Hare
Attorneys for the Second Respondent