



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

CAUSE NO. FSD 88 OF 2023 (IKJ)

**AND IN THE MATTER OF THE ENFORCEMENT OF THE ARBITRAL AWARD OF THE ICC
INTERNATIONAL COURT OF ARBITRATION CASE NUMBER P**

A

for itself and on behalf of

B

Applicant

and

(1) X

(2) Y

(3) Z

Respondents

INJUNCTION

PENAL NOTICE

THIS ORDER PREVENTS YOU KOREK INTERNATIONAL (MANAGEMENT) LIMITED (THE FIRST RESPONDENT) FROM DEALING WITH ITS SHARES IN INTERNATIONAL HOLDINGS LIMITED AND SIRWAN SABER MUSTAFA (THE THIRD RESPONDENT) FROM DEALING WITH HIS SHARES IN THE FIRST RESPONDENT (AS DEFINED IN THIS ORDER). YOU SHOULD READ IT CAREFULLY. YOU ARE ADVISED TO CONSULT AN ATTORNEY AS SOON AS POSSIBLE. YOU HAVE THE RIGHT TO ASK THE COURT TO VARY OR DISCHARGE THIS ORDER.

IF YOU KOREK INTERNATIONAL (MANAGEMENT) LIMITED OR SIRWAN SABER MUSTAFA, YOUR AGENTS, REPRESENTATIVES, DIRECTORS OR OTHER RELATED PERSONS DISOBEY THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND LIABLE TO BE FINED OR TO HAVE YOUR ASSETS SEIZED AND ANY OF YOUR AGENTS, REPRESENTATIVES, DIRECTORS OR OTHER RELATED PARTIES MAY BE IMPRISONED.

ANY OTHER PERSON, INCLUDING WITHOUT LIMITATION MCGRATH TONNER CORPORATE SERVICES LIMITED, WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE FIRST RESPONDENT TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

UPON the *Ex Parte* Summons dated 1 June 2023 (the **Summons**) being dealt with on notice to the Respondents

AND UPON reading the evidence filed by the Applicant in support of the Summons, being the First Affidavit of Jean-Pierre Harb sworn on 7 April 2023 and the exhibit thereto, JPH-1, and the Second Affidavit of Jean-Pierre Harb sworn on 31 May 2023 and the exhibit thereto, JPH-2

AND UPON hearing counsel for the Applicants

AND UPON the Applicants' undertaking that:

(1) If the Court later finds that this Order or carrying it out has caused loss to the Respondent and decides that the Respondent should be compensated for that loss, the Applicants will comply with any order the Court may make.

IT IS ORDERED:

- 1 The First Respondent, Korek International (Management) Limited (**CS Ltd**), and the Third Respondent, Sirwan Saber Mustafa, must provide to the Applicant information sufficient to identify any and all relevant property and assets which are or may be subject to this freezing injunction.
- 2 Until further order of this Court, in respect of assets within the jurisdiction of the Cayman Court, the First and Third Respondents, individually, and by their employees, agents or otherwise howsoever, must not:
 - a) Dispose of, sell, transfer, assign or encumber CS Ltd's 56% interest in International Holdings Limited (**IH Ltd**).
 - b) Dispose of, sell, transfer, assign or encumber any assets that are the subject of CS Limited's 56% interest in IH Ltd.
 - c) Dispose of, sell, transfer, assign or encumber any assets of the Third Respondent, including without limitation, the Third Respondent's 75% shareholding in CS Ltd.

- d) Participate in any conduct that facilitates paragraphs a), b) or c) above including without limitation representing that the First Respondent has an interest above 56% in IH Limited or that it is otherwise entitled to dispose of, sell, transfer, assign and/or encumber CS Limited without reference to the Applicant and representing that the Third Respondent has an interest above 75% in CS Limited or that he is otherwise entitled to dispose of, sell, transfer, assign and/or encumber his shareholding in CS Limited without reference to the Applicant.
- e) Exercise or purport to exercise any power or take any action as director of or on behalf of IH Ltd, which facilitates paragraphs (a), (b), (c) or (d) above.
- 3 The parties shall have liberty to apply in relation to any of the orders made herein on not less than three days' notice.
- 4 Costs in respect of the Ex Parte Summons are reserved.

Effect of this Order

- 5 A Respondent which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees, or agents, or in any other way.

Third parties

- 6 It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of the Order. Any person doing so may be sent to prison, fined, or have his assets seized.
- 7 The Applicant has the right to notify third parties outside the jurisdiction of the Cayman Islands of the existence of this Order.
- 8 Other than as provided for in this paragraph 7 above, the terms of this Order do not affect or concern anyone outside the jurisdiction of this Court until it is declared enforceable or is enforced by a court in the relevant country and then they are to affect

him only to the extent they have been declared enforceable or have been enforced
UNLESS such person is:

- a) a person to whom this Order is addressed or an officer or an agent appointed by power of attorney of such a person; or
- b) a person who is subject to the jurisdiction of this Court and (i) has been given written notice of this Order at his residence or place of business within the jurisdiction of this Court and (ii) is able to prevent acts or omissions outside the jurisdiction of this Court which constitute or assist in a breach of the terms of this Order.

Service

- 9 Service in these proceedings, including service of this Consent Order, may be made on the Respondents by service on their attorneys, Mourant Ozannes (Cayman) LLP.

Duration of this Order

- 10 This Order will remain in force until further Order of the Court.

Variation or discharge of this Order

- 11 The First and Third Respondents (or anyone notified of this Order) may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person), but anyone wishing to do so must first inform the Applicant's attorneys in writing on not less than three days' notice.

Name and address of Applicant's attorneys

- 12 The Applicant's attorneys are: Harneys Westwood & Riegels, 3rd Floor, Harbour Place, 103 South Church Street, George Town, Grand Cayman, Cayman Islands, KY1-1002.

Interpretation of this Order

13 In this Order “he”, “him” or “his” include “she”, “her” and “it” or “its”.

Dated this 20th day of June 2023

Filed this 21st day of June 2023



The Honourable Justice Kawaley
Judge of the Grand Court

THIS ORDER was filed by Harney Westwood & Riegels, Attorneys-at-Law for the Applicant, whose address for service is 3rd Floor, Harbour Place, 103 South Church Street, PO Box 10240, Grand Cayman KYI-1002, Cayman Islands (Ref: 059636.0002/AZJ/NDD/SPS).