



THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

FSD CAUSE NO. 394 OF 2023 (MRHCJ)

IN THE MATTER OF THE ARBITRATION ACT, 2012 AND THE FOREIGN ARBITRATION AWARDS
ENFORCEMENT ACT (1997 REVISION)

AND IN THE MATTER OF AN APPLICATION TO ENFORCE AN ARBITRAL AWARD OF THE
LONDON COURT OF INTERNATIONAL ARBITRATION SITTING IN LONDON

BETWEEN

WHITE CRYSTALS LTD

PLAINTIFF

AND

IGCF GENERAL PARTNER LIMITED

DEFENDANT

ORDER

UPON the Plaintiff's *Ex-Parte* Originating Summons issued on 19 December 2023

AND UPON reading the affirmation of Richard Parry dated 19 December 2023

AND UPON reading the Skeleton Argument of the Plaintiff dated 21 December 2023

AND UPON consideration being given by the Judge such that this application is suitable to be disposed of on the papers without the need for an oral hearing

IT IS HEREBY ORDERED THAT:

1. Pursuant to section 5 of the Foreign Arbitral Awards Enforcement Act (1997 Revision) leave be granted to the Plaintiff to enforce an arbitration award dated 13 December

THIS ORDER was **FILED** by **BEDELL CRISTIN** of Suite 5305, 18 Forum Lane, P.O. Box 1990, Grand Cayman, KY1-1104, Cayman Islands, Attorneys-at-law for the Plaintiff whose address for service is that of its said Attorneys-at-law.

2023 made by the London Court of International Arbitration ("**LCIA**") tribunal appointed on 3 August 2023 to determine a dispute arising under an Amended and Restated Deed of Limited Partnership dated 17 November 2006 ("**LP Deed**") of the Infrastructure and Growth Capital Fund L.P. ("**IGCF Fund**") and sections 22, 29, 30 and 31 of the Exempted Limited Partnership Act (2021 Revision) ("**Act**") in the Cayman Islands in the same manner as a judgment or order of this Court to the same effect.

2. An Order is made in the terms of the said Award as follows:
 - 2.1. It is ordered that the Defendant do specifically perform its obligations under clause 9.1 of the LP Deed of IGCF in compliance with the clause 9 access notice served by the Plaintiff on 26 May 2023 by granting the Plaintiff by its authorised agent(s) access to the Defendant's books and records within 5 days of the date of this Order;
 - 2.2. It is ordered that the Defendant do respond fully and truthfully to the letter dated 4 June 2023 from the Plaintiff within 5 days of the date of this Order and that it thereafter do comply with its duties under Section 22 of the Act in regard to any subsequent request(s) by the Plaintiff for true and full information regarding the state of the business and financial condition of the IGCF Fund;
 - 2.3. It is ordered that the Defendant do comply with Section 29 of the Act by granting the Plaintiff by its authorised representative(s) access to the s.29 register within 5 days of the date of this Order; and
 - 2.4. It is ordered that the Defendant do comply with Section 31 of the Act by granting the Plaintiff by its authorised representative(s) access to the s.31 register within 5 days of the date of this Order.

THIS ORDER was **FILED** by **BEDELL CRISTIN** of Suite 5305, 18 Forum Lane, P.O. Box 1990, Grand Cayman, KY1-1104, Cayman Islands, Attorneys-at-law for the Plaintiff whose address for service is that of its said Attorneys-at-law.

3. The Defendant be served with this Order at its' registered office address as stated in paragraph 25 of the Affirmation of Richard Parry dated 19 December 2023 as soon as practicable together with copies of the *Ex Parte* Originating Summons, the Affirmation of Richard Parry and Exhibit RP1 and the Plaintiff's Skelton Argument.
4. The Defendant be at liberty to apply for variation or discharge of this Order on not less than 14 business days' notice to the Plaintiff's Attorneys.
5. Costs reserved.

DATED the 5th day of January 2024

FILED the 8th day of January 2024



THE HONOURABLE CHIEF JUSTICE RAMSAY- HALE
JUDGE OF THE GRAND COURT

THIS ORDER was **FILED** by **BEDELL CRISTIN** of Suite 5305, 18 Forum Lane, P.O. Box 1990, Grand Cayman, KY1-1104, Cayman Islands, Attorneys-at-law for the Plaintiff whose address for service is that of its said Attorneys-at-law.