



IN THE GRAND COURT OF THE CAYMAN ISLANDS  
 FINANCIAL SERVICES DIVISION

Cause No. FSD 227 of 2018 (IKJ)

BETWEEN:

FORTUNATE DRIFT LIMITED

Plaintiff

-and-

CANTERBURY SECURITIES, LTD.

Defendant

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ORDER

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PENAL NOTICE

IF YOU THE WITHIN NAMED CANTERBURY SECURITIES, LTD DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND FINED, OR YOUR ASSETS MAY BE SEIZED AND ANY OF YOUR DIRECTORS MAY BE SENT TO PRISON OR FINED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS CANTERBURY SECURITIES, LTD 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.

IMPORTANT

Notice to Canterbury Securities, Ltd.

Paragraphs 1, 2, 3 and 5 of this Order require you to do the acts set out in those paragraphs. You should read this Order carefully. You have a right to ask the Court to vary or discharge this Order.

**Notice to Ms Erin Winczura** of 24 Shamrock Road, Prospect, Block 23B Parcel 34, Grand Cayman  
This Order is provided to you in your capacity as a director or officer of Canterbury Securities, Ltd. If Canterbury Securities, Ltd. neglects to obey this Order within the time specified you are liable to a process of execution to compel Canterbury Securities, Ltd. to obey it. You may be sent to prison or have your assets seized.

**Notice to Mr Eric L. Miller** of 49 Hilden Street, Kings Park, NY

This Order is provided to you in your capacity as a director or officer of Canterbury Securities, Ltd. If Canterbury Securities, Ltd. neglects to obey this Order within the time specified you are liable to a process of execution to compel Canterbury Securities, Ltd. to obey it. You may be sent to prison or have your assets seized.

**UPON** the Plaintiff asking the Court to restate, endorsed with a penal notice addressed specifically to the directors of the Defendant, operative paragraphs of Orders made by the Court on 16 June 2023, 7 September 2023 and 13 December 2023, with which Orders the Defendant has not complied

**IT IS ORDERED THAT:**

Information Order

1. The Defendant shall provide the Plaintiff with the following documents by 4pm on [3 days from the Order]:
  - 1.1. Bank account statements showing the location of the proceeds of sale and any interest thereon (the **Proceeds**) of 1,886,261 shares in Yangtze River Port and Logistics Ltd sold by or on behalf of the Defendant on or around 6 and 7 December 2018, from 6 December 2018 until either: (a) the date that the Proceeds or part thereof left the Defendant's control or, to the extent that the Proceeds remain in the Defendant's control; (b) the date of the last available statement(s). For the

avoidance of doubt, such statements shall be statements of the bank account(s) in which the Proceeds have stood and/or are presently standing as a credit balance with the financial institution(s) at which the bank account(s) is (are) held, and shall not include merely the statements of Canadian Escrow Company Ltd and/or any other custodian used by the Defendant as custodian of the Proceeds;

- 1.2. A screen shot showing the current location, precise value and registered custodian of the Proceeds insofar as those Proceeds remain in the Defendant's control; and
- 1.3. An affidavit sworn by a director of the Defendant within the jurisdiction of the Court confirming the accuracy of the documents described at 1.1 and 1.2 above.

#### Restraining Order

2. Within 3 days of this Order being made the Defendant shall pay the sum of US\$15,801,626.72 into an interest-bearing bank account held with a first-class bank in the Cayman Islands in the name of McGrath Tonner (the **Frozen Sum**).
3. Within 24 hours of the payment of the Frozen Sum to McGrath Tonner in accordance with paragraph 2 above, the Defendant shall provide the Plaintiff with a screenshot or bank statement revealing where the Frozen Sum is held. That screenshot or statement shall reveal the name and address of the bank as well as the account number in which the Frozen Sum is held and show the Frozen Sum standing as a credit balance on the account.
4. The Frozen Sum and any interest accruing thereon (or any part thereof) shall not be paid out except by order of the Court in these proceedings or with the written consent of the Plaintiff and the Defendant.

#### Payment Order

5. Within 3 days of this Order being made the Defendant shall pay the Plaintiff the sum of US\$1,974,057.44, which is held on trust by the Defendant for the Plaintiff.

#### Service

6. The Defendant's attorneys shall ensure that this Order is brought to the attention of Mr Miller and Ms Winczura forthwith and shall inform the Plaintiff immediately they have done so.
7. Pursuant to GCR O.45 r.7(6) and/or (7), personal service on Mr Miller and Ms Winczura is dispensed with. The Plaintiff may proceed to enforce this order immediately upon non-compliance with the time limits set out above.

General

8. For the avoidance of doubt, nothing in this Order shall affect any obligation of CSL to comply with Orders of the Court made in these proceedings which are not restated in this Order.

Costs

9. The Defendant shall pay the Plaintiff's costs of seeking this Order to be assessed on the indemnity basis if not agreed.

Dated this 12 day of January 2024

Filed this 15 day of January 2024



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THE HON. JUSTICE KAWALEY  
JUDGE OF THE GRAND COURT