



COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

Cause No. FSD 227 of 2018 (IKJ)

BETWEEN:

FORTUNATE DRIFT LIMITED

Plaintiff

-and-

CANTERBURY SECURITIES, LTD. (IN OFFICIAL LIQUIDATION)

Defendant

CONSENT ORDER

UPON judgment on liability being handed down on 17 August 2023 and the consequent Order dated 17 August 2023

AND UPON judgment on quantum and consequential and additional matters being given ex tempore on 13 December 2023 and the consequent Order dated 13 December 2023

AND UPON the Court circulating a judgment in draft on 24 January 2024 (the “**Contractual Damages Judgment**”) in respect of the amount of damages the Defendant is to pay to the Plaintiff in respect of its breach of contract claim following the Court’s consideration of the written submissions filed by the Defendant on 20 December 2023 and by the Plaintiff on 5 January 2024

AND UPON the Contractual Damages Judgment being handed down on 31 January 2024

AND UPON the Plaintiff and the Defendant having agreed, by their attorneys, to a Consent Order dated 8 January 2024 to extend time for any appeal in respect of the above judgments and Orders

AND UPON the Plaintiff and the Defendant having agreed, by their attorneys, as to the terms of this Order

AND UPON the Court being satisfied it is appropriate to make the Order

BY CONSENT IT IS ORDERED that:

1. The time for either party to file a notice of appeal pursuant to s.19(1) of the Court of Appeal Act (2023 Revision) in respect of any one or more of the following Orders of the Court in these proceedings, namely:
 - (a) The Order dated 17 August 2023;
 - (b) The Order dated 13 December 2023; and
 - (c) Any Order to be entered by the Court pursuant to the Contractual Damages Judgment;shall be further extended until 14 days after the sealing of such further Order of this Court as may be made following the conclusion of the proceedings between PFS, Ltd and the Plaintiff in the state of Nevada, USA (the “**Nevada Proceedings**”) in respect of the matters described at paragraphs 10 and 11 of the Order dated 13 December 2023.
2. The costs of the proceedings, to include the costs reserved by each of the Orders mentioned at paragraph 1(a)-(b) above, shall be reserved to be determined following the conclusion of the Nevada Proceedings.
3. The time for either party to make submissions on costs as invited by the Court at paragraphs 47-48 of the Contractual Damages Judgment shall be extended. Either party may make a written request that those costs be determined at the same time as the Court determines the costs of these proceedings following the conclusion of the Nevada Proceedings.

Dated this 6 day of February 2024

Filed this 6 day of February 2024



THE HON. JUSTICE KAWALEY
JUDGE OF THE GRAND COURT

Approved as to form and content:

Claritas Legal Limited

Claritas Legal Limited
Attorneys for the Plaintiff

Nelsons

Nelsons
Attorneys for the Joint Official Liquidators of the Defendant

THIS ORDER was filed by Claritas Legal Limited, attorneys at law for the Petitioner, whose address for service is c/o FFP (Corporate Services) Limited, 2nd Floor, Harbour Centre, Mary Street, George Town, Grand Cayman, Cayman Islands (Ref: Alexia Adda; alexia@claritaslegal.com).