



**IN THE GRAND COURT OF THE CAYMAN ISLANDS**

**FINANCIAL SERVICES DIVISION**

**FSD CAUSE NO. OF 2024 (CRJ )**

**IN THE MATTER OF THE COMPANIES ACT (2023 REVISION)**

**AND IN THE MATTER OF CREATIVE BELGRAVE MANAGEMENT (CAYMAN) LTD (FORMERLY FALCON  
CAPITAL MANAGEMENT (CAYMAN) LTD)**

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**WINDING UP PETITION**

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**To the Grand Court of the Cayman Islands**

**THE HUMBLE PETITION** of Calimera Capital Partners Sarl (the "**Petitioner**") with its registered office at 68 Avenue De La Liberte, Luxembourg L-1930, shows that:

- 1 The Petitioner seeks the winding up of Creative Belgrave Management (Cayman) Ltd (formerly Falcon Capital Management (Cayman) Ltd) (the "**Company**") on the grounds that it is unable to pay its debts.
- 2 The Company is an exempted company incorporated in the Cayman Islands on 9 March 2015 with registration number 297396 and primarily conducts business as an administrative entity within a group of companies that are hedge fund managers in the United Kingdom and the Cayman Islands.

**This WINDING UP PETITION** is filed by Campbells LLP, Attorneys-at-Law for the Petitioner, whose address for service is Floor 4, Willow House, Cricket Square, PO Box 884, George Town, Grand Cayman, Cayman Islands (ref PDK/17227-43557)

3 The registered office of the Company is c/o Bolder Corporate Services (Cayman) Limited, PO Box 30746, 23 Lime Tree Bay, Governors Square #3-212, Grand Cayman, Cayman Islands.

#### Grounds for Winding Up

4 By an order dated 31 January 2024 and amended on 14 March 2024 made in proceedings in the County Court at Central London with case number G00WT434 (the “**Amended Order**”), Mr Recorder Eaton Turner granted judgment against the Company in the Petitioner’s favour and ordered, relevantly, that the Company pay the Petitioner, by 4pm on 14 February 2024:

4.1 GBP£487,668.64 together with statutory interest of GBP£49,007.27;

4.2 GBP£7,000 together with statutory interest of GBP£827.80; and

4.3 GBP£113,653.78 on account of the Petitioner’s costs of those proceedings.

5 Accordingly, the Company was indebted to the Petitioner for the following sums:

5.1 The judgment debt in the amount of GBP£494,668.64;

5.2 Interest on the judgment debt in the amount of GBP£49,835.07; and

5.3 GBP£113,653.78 on account of the Petitioner’s costs of the County Court proceedings.

6 As at the date of this Petition, the total sum owed by the Company to the Petitioner in respect of the Amended Order is GBP\$601,395.01 (the “**Debt**”).

7 On 22 March 2024, the Petitioner caused a statutory demand to be delivered to the Company at its registered office in respect of the Debt.

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8 As at the date of this Petition, the Company has neglected to pay the Debt or any part thereof or to secure or compound for the same to the satisfaction of the Petitioner. The Debt remains due and payable by the Company to the Petitioner.

9 In the premises:

9.1 The Petitioner is a creditor of the Company and has standing to present this petition under section 94(1) of the Companies Act (2023 Revision) (the “**Companies Act**”); and

9.2 The Company is deemed to be unable to pay its debts pursuant to section 93 of the Companies Act and is therefore insolvent and should be wound up pursuant to Section 92(d) of the Companies Act.

**THE PETITIONER THEREFORE HUMBLY PRAYS THAT:**

1 The Company be wound up by the Court in accordance with the Companies Act (2023 Revision).

2 Mr Barry Lynch and Mr Christopher Kennedy, both of Alvarez & Marsal Cayman Islands Limited, Flagship Building, PO Box 2507, 142 Seafarers Way, George Town, Grand Cayman KY1-1104, Cayman Islands, be appointed as the joint official liquidators (the “**JOLs**”) of the Company.

3 The JOLs be authorised to act jointly and severally in their capacity as liquidators of the Company.

4 The JOLs shall not be required to give security for their appointment.

5 In addition to their powers prescribed in Part II of the Third Schedule to the Companies Act which are exercisable without sanction of this Court, the JOLs are hereby sanctioned to

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exercise the power set out in paragraph 10 or Part I of the Third Schedule to the Companies Act to engage staff (whether or not employees of the Company) to assist the JOLs in the performance of their functions.

- 6 The JOLs shall be authorised to seek recognition of their appointment in any other relevant jurisdictions and to make applications to the courts of such jurisdictions for that purpose.
- 7 The JOLs be at liberty to appoint counsel, attorneys, and/or any other professional advisors and agents, whether in the Cayman Islands or elsewhere as they may consider necessary to advise and assist them in the performance of their duties and on such terms as they may think fit and to remunerate them out of the assets of the Company.
- 8 The JOLs have authority and are directed to take all necessary steps to take control of the Company's subsidiaries, if any, including by exercising voting or other rights attached to the shares in the Company's subsidiaries and/or by causing themselves to be registered as holders of the Company's shares in their subsidiaries in place of the Company.
- 9 Subject to section 109(2) of the Companies Act, the JOLs' remuneration and expenses be paid out of the assets of the Company in accordance with the Companies Winding Up Rules (2023 Consolidation) and Part III of the Insolvency Practitioners' Regulations (2023 Consolidation).
- 10 No disposition of the property of the Company by or with the authority of the JOLs in carrying out their duties and functions and the exercise of their powers under this Order shall be voided by virtue of section 99 of the Companies Act.
- 11 No suit, action or other proceeding shall be proceeded with or commenced against the Company except with leave of the Court and subject to such terms as the Court may impose.

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12 The costs of the Petitioner of and incidental to the Petition be paid out of the assets of the Company as an expense of the liquidation, to be taxed on the indemnity basis if not agreed with the JOLs.

13 Such other orders and directions may be made as the Court thinks fit.

Dated this 2<sup>nd</sup> day of September 2024



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**Campbells LLP**

Attorneys-at-Law for the Petitioner

**It is intended that this Petition be served on the Company at its registered office.**

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**Notice of Hearing**

TAKE NOTICE THAT the hearing of this Petition will take place at the Law Courts, George Town, Grand Cayman, Cayman Islands on 22 November 2024 at 9:30 ~~am/pm~~.

Any correspondence or communication with the Court relating to the hearing of this Petition should be addressed to the Registrar of the Financial Services Division of the Grand Court at PO Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands; Tel: 3459494296.

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