QORTI CIVILI
PRIM'AWLA
ONOR IMHALLEF ANNA FELICE

Illum 07 ta' Jannar, 2021

Rikors Guramentat Nru: 156/2020 AF

Avukat Conrad Portanier bhala mandatarju specjali ghan-nom u in rapprezentanza tal-assenti Valerie P. Maria, din tal-ahhar fil-kwalità taghha personali bhala Trustee in Bankruptcy tas-socjetà estera IIG Trade Opportunities Fund N.V., socjetà registrata gewwa Curacao

vs

Raymond Busuttil li b'nota tat-13 ta' Mejju, 2020 qed jaccetta l-bandu sabiex jidher bhala Kuratur Deputat sabiex jirrapprezenta lis-socjetà estera IIG Trade Opportunities Fund N.V., socjetà registrata gewwa Curacao bin-nummru ta' registrazzjoni 75220 u bl-indirizz ufficcjali 23, Blenchiweg, Curacao

Il-Qorti:

Rat ir-rikors guramentat tal-Avukat Conrad Portanier bhala mandatarju specjali ghan-nom u in rapprezentanza tal-assenti Valerie P. Maria, din tal-ahhar fil-kwalità taghha personali bhala Trustee in Bankruptcy tas-socjetà estera IIG Trade Opportunities Fund N.V., socjetà registrata gewwa Curacao, li permezz tieghu, wara li gie premess illi:

Permezz ta' sentenza moghtija mill-Joint Court of Justice of Aruba, Curacao, Sint Maarten and of Bonaire, Sint Eustatius and Saba fit-3 ta' Settembru 2019 fl-ismijiet "DB AG Dublin ACF Aggregator Solutions Opportunities Fund II et -vs- IIG Trade Opportunities Fund N.V.," gie ordnat illi l-istess socjetà intimata IIG Trade Opportunities Fund N.V., tinsab fi stat ta' falliment u bhala Trustee in Bankruptcy il-Qorti nnominat lil Valerie P. Marie.

Dina s-setenza hija wahda finali u *res judicata* u nghatat minn Qorti kompetenti fil-gurisdizzjoni ta' Curacao.

Fost l-assi li jappartjenu lilha, s-socjetà intimata ghandha intestati f'isimha numru ta' ishma ossia hdax-il miljun, hames mitt elf u wiehed, disa' mija u disgha u disghin (11.501,999) Ordinary A Shares fil-kumpannija sussidjarja taghha u registrata hawn Malta bl-isem IIG Malta Ltd (C 48765).

Bhala Trustee in Bankruptcy tas-socjetà intimata, hija ghandha interess illi tiehu fil-pussess taghha l-assi kollha li jappartjenu lis-socjetà intimata falluta sabiex tkun tista' taqdi l-obbligi taghha li jinkludu l-likwidazzjoni tal-assi u d-distribuzzjoni ta' kull rikavat lill-kredituri rispettivi li jirrizulta li ghandhom kreditu fil-konfront tal-istess socjetà intimata.

Intalbet din il-Qorti biex:

1. Tiddikjara ezegwibbli u konsegwentement tordna l-ezekuzzjoni tas-sentenza moghtija mill-Joint Court of Justice of Aruba, Curacao, Sint Maarten and of Bonaire, Sint Eustatius and Saba fit-3 ta' Settembru 2019 fl-ismijiet "DB AG Dublin ACF Aggregator Solutions Opportunities Fund II

et -vs- IIG Trade Opportunities Fund N.V.", bhallikieku kienet sentenza minn dina l-Onorabbli Qorti li permezz taghha gie ordnat illi l-istess socjetà intimata IIG Trade Opportunities Fund N.V., tinsab fi stat ta' falliment u bhala Trustee in Bankruptcy il-Qorti nnominat lil Valerie P. Marie.

2. Tawtorizza lill-istess rikorrent nomine jiehu pussess f'idejh tal-ishma kollha intestati a favur tal-istess socjetà intimata ossia hdax-il miljun, hames mitt elf u wiehed, disa' mija u disgha u disghin (11,501,999) Ordinary A Shares fil-kumpannija registrata hawn Malta bl-isem IIG Malta Ltd (C 48765) u dan sabiex ikun jista' jamministra l-istess bhala Trustee in Bankruptcy tal-istess socjetà intimata.

Bl-ispejjez.

Rat id-dokumenti annessi.

Rat ir-risposta ta' Raymond Busuttil ghan-nom tas-socjetà estera IIG Trade Opportunities Fund N.V. li permezz taghha iddikjara illi ma jopponix ghaz-zewg talbiet kontenuti fir-rikors promotur.

Ghaldaqstant, fic-cirkostanzi, l-Qorti taqta' u tiddeciedi billi:

1. Tiddikjara ezegwibbli u konsegwentement tordna l-ezekuzzjoni tas-sentenza moghtija mill-Joint Court of Justice of Aruba, Curacao, Sint Maarten and of Bonaire, Sint Eustatius and Saba fit-3 ta' Settembru 2019 fl-ismijiet "DB AG Dublin ACF Aggregator Solutions Opportunities Fund II et -vs- IIG Trade Opportunities Fund N.V.", bhallikieku kienet sentenza minn dina l-Onorabbli Qorti li permezz taghha gie ordnat illi l-istess socjetà intimata IIG Trade Opportunities Fund N.V., tinsab fi stat ta' falliment u bhala Trustee in Bankruptcy il-Qorti nnominat lil Valerie P. Marie.

2. Tawtorizza lill-istess rikorrent nomine jiehu pussess f'idejh tal-ishma kollha intestati a favur tal-istess socjetà intimata ossia hdax-il miljun, hames mitt elf u wiehed, disa' mija u disgha u disghin (11,501,999) Ordinary A Shares fil-kumpannija registrata hawn Malta bl-isem IIG Malta Ltd

(C48765) u dan sabiex ikun jista’ jamministra l-istess bhala Trustee in Bankruptcy tal-istess socjetà intimata.

Kull parti ghandha tbati l-ispejjez taghha.

IMHALLEF

DEP/REG