

Court File Number: CV-14-10663-

Superior Court of Justice  
Commercial List

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**FILE/DIRECTION/ORDER**

In re Banner Broker International  
AND Plaintiff(s) Limited

Defendant(s)

Case Management  Yes  No by Judge: \_\_\_\_\_

| Counsel   | Telephone No: | Facsimile No: |
|---|---------------|---------------|
| David Ward & Christopher Thomas<br>for the applicants |               |               |
| Harry Fogue, for Christopher Smith                    |               |               |

- Order     Direction for Registrar (No formal order need be taken out)  
 Above action transferred to the Commercial List at Toronto (No formal order need be taken out)

- Adjourned to: \_\_\_\_\_  
 Time Table approved (as follows): \_\_\_\_\_

The applicants <sup>seek</sup> an interim recognition order (foreign main proceeding) arising from proceedings brought in the Isle of Man regarding Banner Broker International Limited. Original certified copies of those orders of the High Court of Justice of the Isle of Man have been filed with me today. I am satisfied on the evidence before me that the recognition order should be given, and

Aug. 22, 2014  
Date

[Signature]  
Judge's Signature

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## FILE/DIRECTION/ORDER

## Judges Endorsment Continued

have signed it today (with minor changes made by hand).

The applicants also seek a supplemental order, which incorporates a receivership order. Mr. Fogal has raised certain issues regarding aspects of that order as have I.

I am satisfied that the order, as amended by me in the form of order attached hereto as Pch "A",

shall be given by me. This order shall go in the form attached.

I further direct that counsel to the Joint Liquidators and to Mr. Smith shall more promptly address any restrictions sought on the ~~use~~ disclosure that can be made of the transcript of Christopher Smith upon ~~arising~~ arising from an examination under para. 11 of the supplementary order,

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Judges Endorsment Continued

*including an affidavit before this  
court, if necessary.*

Judges Initials 