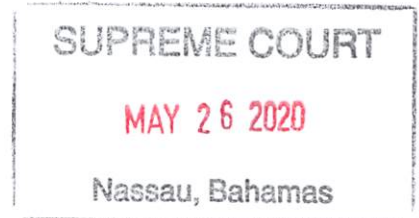


IN THE SUPREME COURT OF THE BAHAMAS
COMMERCIAL DIVISION



CAUSE NO. COM/bnk/00077 OF 2019

IN THE MATTER OF THE COMPANIES ACT. 1992, CH. 308

AND IN THE MATTER OF PACIFICO GLOBAL ADVISORS LTD.

SUMMONS

LET ALL PARTIES CONCERNED attend before The Honourable Madam Justice W. Renae McKay a Judge of the Supreme Court of The Commonwealth of The Bahamas, in Chambers at Supreme Court Annex II, Bank Lane, on Tuesday the 2nd day of June, A.D., 2020 at 10:30 in the forenoon on the hearing of an application on behalf of the Official Liquidator of Pacifico Global Advisors Ltd. (“**PGA**”), pursuant to sections 204 (3 – 4), section 205(3)(a) and section 7 of Part I of the Fourth Schedule of the Companies (Winding Up Amendment) Act, 2011 **FOR AN ORDER THAT:**

1. The Court sanctions the Official Liquidator deducting or causing to be deducted from the trust assets being held by PGA concerning 15 segregated accounts (specifically: Alfa Pacifico Sub Fund, WIK Sub Fund, Pacifico Global Opportunities DE Sub Fund, Omega Pacifico Sub Fund, LAM Sub Fund, Spectator Sub Fund, Pacifico Global Opportunities KA Sub Fund, ALM Sub Fund, Basur Sub Fund, EUR Conservative Sub

Fund, Pacifico Global Opportunities KR Sub Fund, Saturr Sub Fund, Pacifico Global Opportunities CM Sub Fund, Global Opportunities Sub Fund EUR LU and Pacifico Global Opportunities GT Sub Fund all of Lyford Diversified Global Fund, SAC) (“**Sub Fund Trust Assets**”) such costs in the liquidation that are solely attributable to the identification, realization, preservation, protection, recovery, distribution and administration of those trust accounts/assets (“**Sub Fund Trust Costs**”).

2. The Court sanctions the Official Liquidator deducting or causing to be deducted from the Sub Fund Trust Assets approximately 90% of the balance of the liquidation costs that are not solely attributable to the Sub Fund Trust Assets (“**General Liquidation Costs**”) since the Sub Fund Trust Assets constitute approximately 90% of assets in PGA’s name and the General Liquidation Costs maintain the liquidation process thereby enabling the Official Liquidator to attend to the Sub Fund Trust Assets.
3. In circumstances where only a portion of the General Liquidation Costs are paid from the Trust Assets, the Official Liquidator gives an undertaking to repay such costs (apportioned on the same basis as which the monies would have been received from the Trust Assets) in the event funds become available.
4. The Sub Fund Trust Costs and General Liquidation Costs are to be apportioned amongst the various Sub Fund Trust Assets using a court approved methodology to be established in the near future by the court upon application by the Official Liquidator.
5. The Official Liquidator has liberty to apply.

6. That the costs of this application be costs in the liquidation.

This Summons is supported by the Sixth, Seventh and Eighth Affidavits of Edmund L. Rahming, the Official Liquidator of PGA.

DATED the 26th day of May, A.D., 2020.

REGISTRAR

This Summons was taken out by **CALLENDERS & CO.**, Chambers, One Millars Court, Nassau, The Bahamas, Attorneys for the Official Liquidator.

TO: Securities Commission of The Bahamas
North Building, 2nd Floor
31A East Bay Street
Nassau, N.P., The Bahamas

Alexander Maillis II
Representative of Liquidation Committee Member - Mosko Realty Ltd.
Charlotte House, Shirley Street
Nassau, N.P., The Bahamas

Paul Winder
Representative of Liquidation Committee Member – Deltec Bank & Trust Limited
Deltec House, Lyford Cay
Nassau, N.P., The Bahamas

Luca Lanciano – Liquidation Committee Member
C/o Phoenix Capital Ltd.
212 Church Street, Sandypoint
Nassau, N.P., The Bahamas

Persons who are beneficiaries of the PGA Trust Assets
<https://www.pga-liquidation.com/>

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CALLENDERS & CO.

Chambers
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Attorneys for the Official Liquidator

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