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Freezing Order to restrain assets in Grenada

**IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE
(CIVIL)**

GRENADA

CLAIM NO. GDAHCV 2003/0220

Before The Honourable Mr. Justice Kenneth Benjamin, Puisne Judge

BETWEEN:

CARLA BELLA LTD

Claimant

And

**BANK CROZIER LIMITED (1)
DARYL SANDS (2)
MINISTER OF FINANCE (3)**

Defendant

Names and addresses of the Defendants:

- 1. BANK CROZIER LIMITED, Grand Anse, St. George's**
- 2. DARYL SANDS. PricewaterhouseCoopers, The Netherlands Building, Grand Anse, St. George's**
- 3. MINISTER OF FINANCE, The Financial Complex, The Carenage, St. George's**

PENAL NOTICE

If you fail to comply with the terms of this order, proceedings may be commenced against you for contempt of court and you may be liable to be imprisoned.

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IMPORTANT

Notice to the Defendants

You should read the terms of the Order and the Guidance Notes very carefully. You are advised to consult an Attorney-at-Law- as soon as possible.

This Order prohibits you, the Defendants, from dealing with the assets specified in and up to the amount stated in the Order, but subject to any expectation set out at the end of the Order. You have a right to ask the Court to vary to discharge this Order.

If you disobey this Order you may be found guilty of contempt of Court and may be sent to prison or fined.

THE ORDER

An application was made today the 20th day of May, 2003, by Counsel for the Claimant to Mr. Justice Benjamin, Pusine Judge, who heard the application. The Judge read the affidavit listed in Schedule A and accepted the undertakings set out in Schedule B at the end of this Order. As a result of the application IT IS ORDERED that:

1. The defendants and each of them, whether by themselves, their servants or agents or otherwise howsoever, are restrained from disposing of, or dealing with or diminishing the value of the moneys to the extent of 1.4 million euros in the Claimant's account numbered 100-97801000293 EUR held with the First Defendant;
2. This matter is fixed for May 29th, 2003 for further consideration;
3. The claimant shall forthwith file the Claim Form with Statement of Claim, the Notice of Application, the Affidavit in support and exhibits attached thereto; and

4. This Order shall terminate on June 10th, 2003m until further order made on the further consideration of the application.

GUIDANCE NOTES

Effect of this Order

- (1) A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- (2) A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directions, officers, employees or agents or in any other way.

Variation of discharge of this Order

The Defendant may apply to the Court at any time to vary or discharge this Order.

Parties other than the Claimant and Defendant

1. Effect of this Order

It is contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison or fined.

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Interpretation of this Order

- (1) In this Order, where there is more than one Defendant, (unless otherwise stated) references to “the Defendant” means all of them.
- (2) A requirement to serve on “the Defendant” means on each of them. However, the Order is effective against any Defendant on whom it is served.
- (3) An Order requiring “the Defendant” to do or not to do anything applies to all Defendants.

The Court Office is at York House, Church Street, St. George’s Grenada, Telephone number 440-2030, FAX 440-6695. The office is open between 8:00 a.m. and 4 p.m. Mondays to Fridays except Public Holidays.

Schedule A

Affidavits

The Claimant relied on the following affidavit:

Julien Labrousse	1	20/05/03	The Claimant
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Schedule B

Undertakings given to the Court by the Applicant:-

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- (1) If the Court later finds that this Order has caused loss to the Defendants, and decides that the Defendants should be compensated for that loss, the Claimant will comply with any Order the Court may make.

- (2) As soon as practicable the Claimant will serve on the Defendants copies of the Claim Form endorsed with the Statement of Claim, the Notice of Application, the Affidavit of Julien Labrousse, together with this Order.

Name and Addresses of Claimant's Legal Practitioners

The Claimant's Legal Practitioners are:-

Grant, Joseph & Co. Chambers, Lucas Street, St.George's

By Order

Registrar