

**THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
(CIVIL)**

Submitted Date:23/11/2022 15:02

Filed Date:23/11/2022 15:02

Fees Paid:27.00

**ANTIGUA AND BARBUDA
CLAIM NO: ANUHCV2022/ 0229**

B E T W E E N

**(1) JACK STROLL
(2) NEVERLAND SERVICES S.A**

Claimants

-and-

**(1) GLOBAL BANK OF COMMERCE LIMITED
(2) BRIAN STUART YOUNG**

Defendants



CONSENT ORDER

**BEFORE: MASTER CARLOS CAMERON MICHEL
(IN CHAMBERS)**

APPEARANCES (via zoom): Leslie Thomas KC and with him Michelle Sterling,
Counsel for the Claimants
Jan Peltier, Counsel for the 1st Defendant
Jason Tiwari, Counsel for the 2nd Defendant

PRESENT (via zoom): 1st Claimant present
Fred Seller- Claimant in House Counsel Representative
1st Defendant Representative absent
2nd Defendant present

DATED The 9th day of November, 2022
ENTERED The 21st day of November 2022

UPON the parties arriving at an Agreement and further agreeing that the terms and conditions of the Agreement should be contained in the form of a Consent Order;

UPON the 1st Defendant consenting to judgment being entered;

UPON the 2nd Defendant consenting to judgment being entered, subject to the Parties agreeing that such judgment shall not take effect unless the First Defendant fails to pay the

judgment in full at or before 4pm on 6th January, 2023;

UPON the Claimants undertaking that if the judgment is paid in full by 6th January, 2023 the Claimants will forthwith return to the 1st Defendant the original Antigua and Barbuda Treasury Bill 2018-2028 No. Q3 and GOAB Treasury Bill Agreement in the aggregate sum of US\$13,500,000.00 [being comprised of US\$10,000,000.00 in the Claimants' physical custody and; US \$3,500,000.00 pledged to the Claimants] presently held by the Claimants as security for the performance of the 1st Defendant's obligations thereby rendering nugatory the associated Collateral Agreement dated 10th February, 2021 and Transfer of GOAB Treasury Bill Agreement dated 20th April, 2021;

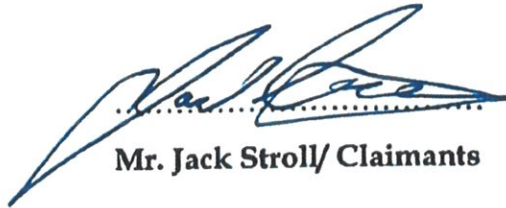
AND UPON the Claimants agreeing that they will not enforce the 2nd Defendant's liability for costs unless the 1st Defendant fails to pay the Claimants' costs in full at or before 4pm on 6th January, 2023 or such later date as may be ordered by the Court;

IT IS HEREBY ORDERED BY CONSENT THAT:

1. Judgment is entered against the 1st Defendant in the respective amounts of USD\$7,406,263.19 (USD \$7,324,782.52 principal and USD \$81,480.67 accrued interest) and GBP 2,755,296.49 (GBP 2,741,066.23 principal and GBP 14,230.26 accrued interest) as per account balances of the Claimants as at the 8th November, 2022 with per diems of USD \$1,605.15 and GBP 562.22 respectively until payment and interest at 5% per annum thereon from 7th January, 2023 until the judgment amounts and accrued interest thereon is paid in full.
2. The judgment in paragraph 1 is to take effect immediately and shall be paid with all accrued interest thereon on or before 4pm on 6th January, 2023.
3. Judgment is also entered against the Second Defendant in the said respective amounts of USD \$7,406,263.19 (USD \$7,324,782.52 principal and USD \$81,480.67 accrued interest) and GBP 2,755,296.49 (GBP 2,741,066.23 principal and GBP 14,230.26 accrued interest) as per account balances of the Claimants at the 8th November, 2022 with per diems of USD \$1,605.15 and GBP 562.22 respectively until payment, and interest at 5% per annum thereon from 7th January, 2023 until the judgment amount and accrued interest thereon is paid in full.
4. The judgment against the Second Defendant as set out in paragraph 3 is to take effect at 4pm on 6th January, 2023 unless the First Defendant has earlier paid the judgment against it and all accrued interest thereon in full.
5. The Defendants do pay the Claimants' costs on an indemnity basis to be assessed if not agreed.

Leslie Thomas KC

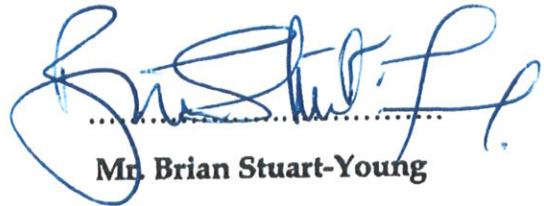
.....
Mr. Leslie Thomas, KC
Attorney-at-Law for the Claimants


.....

Mr. Jack Stroll/ Claimants


.....

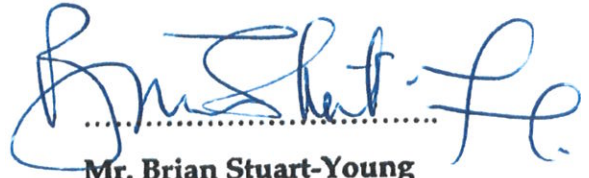
Ms. Jan Peltier
Attorney-at-Law for the 1st Defendant


.....

Mr. Brian Stuart-Young
Chief Executive Officer


.....

Mr. Jason Sebastian Tiwari
Attorney-at-Law for the 2nd Defendant


.....

Mr. Brian Stuart-Young
Chief Executive Officer

BY THE COURT


.....
Registrar

THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
ANTIGUA AND BARBUDA

CLAIM NO: ANUHCv2022/0229

BETWEEN:

(1) JACK STROLL

(2) NEVERLAND SERVICES S.A

Claimants

and

(1) GLOBAL BANK OF COMMERCE LTD

(2) BRIAN STUART YOUNG

Defendants

CONSENT ORDER

JC Legal Solutions
Attorney-at-law & Notary Public
Bay Gardens
Hodges Bay
P.O. BOX 774
St. John's, Antigua