



IN THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
VIRGIN ISLANDS
COMMERCIAL DIVISION
CLAIM NO. BVIHC (COM) 2022/0119

Submitted Date:27/03/2023 10:01

Filed Date:27/03/2023 10:01

IN THE MATTER OF THE INSOLVENCY ACT, 2003
AND IN THE MATTER OF THREE ARROWS CAPITAL LTD (IN LIQUIDATION)

Fees Paid:72.59

BETWEEN:

Russell Crumpler and Christopher Farmer
(as Joint Liquidators of Three Arrows Capital Ltd (In Liquidation))

Applicants

-and-

(1) ZHU SU

(2) KYLE DAVIES

Respondents

Order

PENAL NOTICE

NOTICE: IF YOU (KYLE DAVIES) 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

BEFORE: The Honourable Justice Ingrid Mangatal [Ag]

DATED: 22 March 2023

ENTERED: 27 March 2023

UPON the order of the Honourable Justice Jack (Ag) dated 27 June 2022 appointing Russell Crumpler and Christopher Farmer of Teneo (BVI) Limited (the "**Liquidators**") of Three Arrow Capital Ltd (the "**Company**")

AND UPON the application filed on behalf of the Liquidators on 14 October 2022 pursuant to section 284 of the Insolvency Act 2003 (the "**Act**") for an order under section 285 of the Act

AND UPON the order of the Honourable Justice Small-Davis KC (Ag) dated 19 December 2023 ("**the Examination Order**") requiring Kyle Davies and Zhu Su (the "**Directors**") to attend the Court for an examination

AND UPON the hearing of the private examination of Kyle Davies pursuant to the Examination Order on 22 March 2023

AND UPON the court reading the email dated 21 March 2023 from Ms Eilieen Yeo of Advocatus Law LLP on behalf of the Directors

AND UPON hearing Richard Fisher KC for the Applicants and upon Kyle Davies failing to attend the examination

IT IS HEREBY ORDERED THAT:

1. Kyle Davies shall produce and provide to the Liquidators for the purpose of the adjourned examination and the liquidation proceedings generally all documents set out in Schedule 1 to this Order in his possession or control by 4:00pm on 14 April 2023.
2. Kyle Davies shall attend court for the adjourned examination listed for hearing with an initial time estimate of 2.5 hours at 10am on 22 May 2023 as fixed by the Court.
3. In the event that Kyle Davies does not comply with paragraph 1 of this Order, the adjourned examination shall be listed to be heard at 10am on 27 April 2023 as fixed by the Court with a time estimate of 30 minutes.
4. All appearances before the Court should be virtual Zoom, the details of which will be arranged by the Court.
5. The Liquidators shall serve a copy of this Order by the following means:
 - (a) By email at the following email addresses: [REDACTED] [REDACTED] and [REDACTED]
 - (b) By email to [REDACTED], the Company's former solicitors based in [REDACTED] at [REDACTED] and [REDACTED]

(c) By email to [REDACTED] the Directors' current solicitors based in [REDACTED] at [REDACTED] and [REDACTED].

(d) By email to [REDACTED] of [REDACTED] at [REDACTED].

(e) Insofar as it is possible, by direct instant message via Twitter to the account identified as "[REDACTED]".

(f) By ordinary post to the following addresses:

(i) [REDACTED]

(ii) [REDACTED]

(iii) [REDACTED]

(g) By placing a copy of this Order (with the list of documents set out in Schedule 1 and paragraph 5 of this order redacted) on the Company's liquidation website www.3acliquidation.com; and

(h) By posting a copy of this Order (with the list of documents set out in Schedule 1 and paragraph 5 of this order redacted) on Twitter from the Company's liquidation account, managed and controlled by the Liquidators and identified as "@3ACLIQ", and insofar as it is possible, tagging the account identified as "[REDACTED]".

6. The deemed date of service of this Order shall be 5 days after the completion of the steps set out at paragraph 5 above.

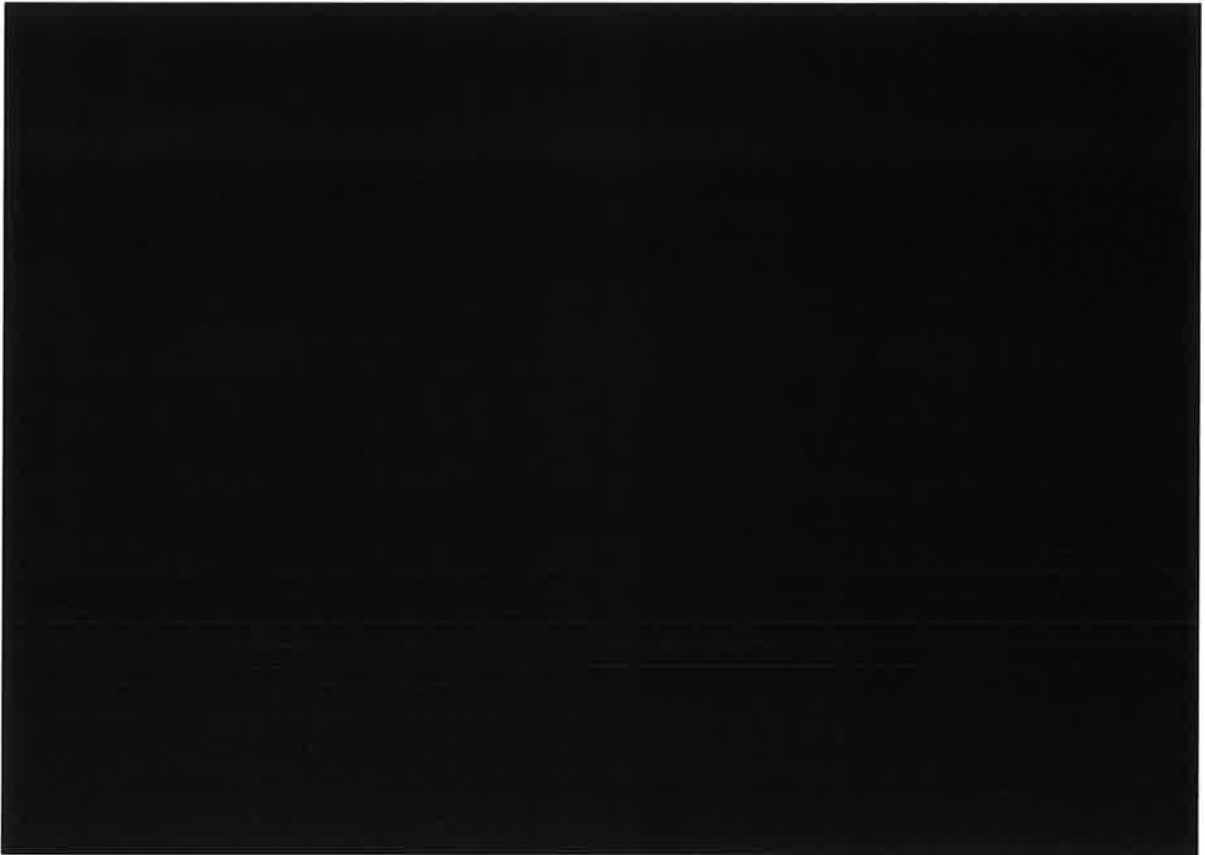
7. The costs be reserved. Any costs not payable by the Respondents or not recovered from them be paid as an expense of the liquidation pursuant to rule 199(a)(ii) of the Insolvency Rules 2020.

BY ORDER OF THE COURT


Dep. REGISTRAR



SCHEDULE 1: CATEGORIES OF DOCUMENT



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AND IN THE MATTER OF THREE ARROWS CAPITAL
LTD (IN LIQUIDATION)**

**THREE ARROWS CAPITAL LTD
(In Liquidation)**

Applicant

(1) ZHU SU

(2) KYLE DAVIES

Order

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Legal Practitioners for the Liquidators

