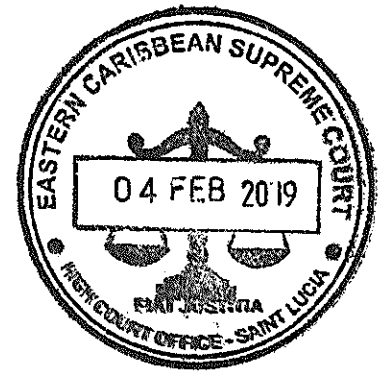


THE EASTERN CARIBBEAN SUPREME COURT

IN THE HIGH COURT OF JUSTICE

SAINT LUCIA
COMMERCIAL DIVISION

CLAIM NO. SLUHCM2018/0088



IN THE MATTER OF A PETITION FOR
THE WINDING UP OF HARLEQUIN
BOUTIQUE HOTEL LIMITED.

AND IN THE MATTER OF SECTION
385(a) AND SECTION 387 OF THE
COMPANIES ACT CAP 13.01 OF
THE REVISED EDITION OF THE LAWS
OF SAINT LUCIA

BETWEEN:

HARLEQUIN BOUTIQUE HOTEL LIMITED

Petitioner

BEFORE: Her Ladyship, the Honourable Justice Cadie St. Rose-Albertini

APPEARANCES:

Mr. Garth Patterson, QC with Mr Mark Maragh of
Counsel for the Petitioner and the Joint Provisional
Liquidators

Mr Leslie Mondesir of Counsel for JP Services
Corporation as interested creditor

Mr Leslie Mondesir with Ms Diana Thomas of Counsel
for Mr Christopher
McNamara as interested creditor

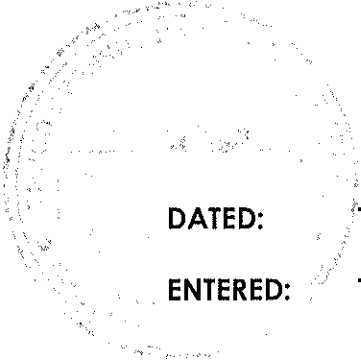
Ms. Renee St. Rose of Counsel for the Financial
Services Compensation Scheme Limited as an
interested creditor

Mrs Candace Polius of Counsel for the National
Insurance Corporation as interested creditor

PRESENT:

Mr Craig Waterman, Joint Liquidator
Mr Jeffery Coyne, representative of JP Services
Corporation

Ms Mable Leopold, representative of the National
Insurance Corporation



DATED: This 14th day of January 2019

ENTERED: This 4th day of February 2019

ORDER

UPON THIS MATTER coming on for hearing of the Petition of Winding Up filed herein on 5th October, 2018

AND UPON READING the petition, affidavits in support and exhibits of the petitioner

AND UPON HEARING Counsels for the petitioner and interested creditors

IT IS HEREBY ORDERED THAT

1. **HARLEQUIN BOUTIQUE HOTEL LIMITED** Company No. C243 of 2011, (the "Company"), be and is hereby wound up pursuant to Section 385 (a) of the Companies Act 13.01 of the Revised Edition of Laws of Saint Lucia (the "Act").
2. Mr Craig Waterman and Mrs Lisa Taylor are hereby appointed as Joint Liquidators (the "Joint Liquidators") of the Company with immediate effect.
3. Any act required or authorized to be done under this Order or by the Act may be done by the Joint Liquidators.

4. Without prejudice to the power bestowed by virtue of the Act, the Joint Liquidators in discharging their obligations shall be empowered to carry out the following functions: -
- (a) Bring or defend any action or other legal proceeding in the name and on behalf of the Company;
 - (b) Carry on the business of the Company, so far as may be necessary, for the beneficial winding-up thereof;
 - (c) Appoint an attorney-at-law or other agents to assist them in the performance of their duties;
 - (d) Pay any classes of creditors in full if the assets of the Company remaining in their hands will suffice to pay in full the debts and liabilities of the Company which rank for payment before, or equally with, the debts or claims of the first mentioned creditors;
 - (e) Make any compromise or arrangement with creditors or persons claiming to be creditors, or having or alleging themselves to have any claim, present or future, certain or contingent, ascertained or sounding only in damages against the company, or whereby the company may be rendered liable;
 - (f) Comprise any calls and liabilities to calls, debts and liabilities capable or resulting in debts, and all claims, present or future, certain or contingent, ascertained or sounding only in damages, subsisting or supposed to subsist between the Company and a contributory or alleged contributory, or other debtor or person apprehending liability to the Company, and all questions in any way relating to or affecting the assets or winding-up of Company, on such terms as are agreed, and take any security for the discharge of any such call, debt, liability or claim, and give a complete discharge in respect thereof ;
 - (g) Sell the real and personal property and things in action of the Company by public auction or private contract on such terms and conditions as the Court shall approve, with power to transfer free and clear of all encumbrances, the whole thereof to any person or to sell the same in parcels;

- (h) Do all acts and execute, in the name and on behalf of the Company, all deeds, receipts and other documents and for that purpose to use, when necessary, the Company's seal;
 - (i) Prove, rank and claim in the bankruptcy, insolvency, or sequestration of any contributory, for any balance against his or her estate, and receive dividends in the bankruptcy, insolvency, or sequestration in respect of that balance as a separate debt due from the bankrupt and insolvent, and rateably with the other separate creditors;
 - (j) Draw accept, make and endorse any bill of exchange or promissory note in the name and on behalf of the Company, with the same effect with respect to the liability of the Company as if the bill or note had been drawn, accepted made or endorsed by or on behalf of the Company in the course of its business;
 - (k) After the Company's liabilities have been satisfied, distribute any remaining assets of the Company to its shareholder;
 - (l) Appoint an agent to do any business which the Joint Liquidators are unable to so do themselves; and
 - (m) Do all such other things as may be necessary for winding-up affairs of the Company and distributing its assets,
5. The Joint Liquidators may apply to the Court for directions in relation to any matter arising on the winding up.
6. The Joint Liquidators shall file and serve an initial joint report on the progress of liquidation no later than **25th March, 2019** and the matter is hereby adjourned to **28th March, 2019**.
7. The Joint Liquidators shall lodge a copy of this order on the Registrar of Companies within 21 days of the date of the order.
8. The costs of this petition shall be assessed by the court upon the filing of affidavit evidence to substantiate same, to be filed no later than

28th January, 2019 and such cost shall be paid out of the liquidation estate.

9. The cost and expense of the provisional liquidation shall be assessment for remuneration, upon the Joint Liquidators filing affidavit evidence to substantiate same no later than 28th January, 2019.

10. The Joint Liquidators will draw, file and serve this order.

BY THE COURT



REGISTRAR

Presented for filing by: Amicus Legal, in association with Mr. Garth Patterson, Q.C., Legal Practitioners for the Petitioner, whose address is Rodney Bayside Building, Rodney Bay, Gros-Islet, Saint Lucia. Tel: 758-451-6777; Fax: 758-453-3777 E-mail: info@amicus.legal

The Court Office is at Jeremie Street, Castries, Tel. No.758 468 7500, e-mail: stluhco@eccourts.org or stlucommercialdivision@eccourts.org The Court Office is open between 9:00 a.m. and 2:00 p.m. Monday to Thursday and between 9:00 a.m. and 3:00 p.m. on Friday except public holidays.

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