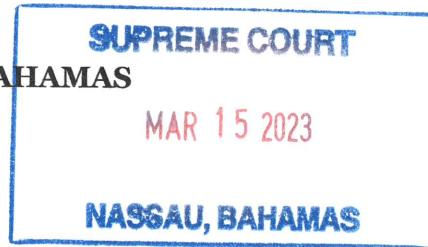


COMMONWEALTH OF THE BAHAMAS
IN THE SUPREME COURT
COMMERCIAL DIVISION



2022

COM/com/ooo60

**IN THE MATTER OF the Digital Assets and Registered Exchanges Act, 2020
(as amended)**

AND IN THE MATTER OF the Companies (Winding Up Amendment) Act, 2011

**AND IN THE MATTER OF FTX DIGITAL MARKETS LTD.
(A Registered Digital Asset Business)**

EX-PARTE SUMMONS

LET ALL PARTIES concerned attend before His Lordship, Sir Ian Winder, Chief Justice of the Supreme Court of the Commonwealth of The Bahamas, in Chambers at the Supreme Court of The Bahamas, Annex 1, Nassau, The Bahamas on Monday the 20 day of **March A.D., 2023** at 9:30 o'clock in the fore-noon or as soon thereafter as Counsel can be heard on an application on behalf of Joint Provisional Liquidators (JPLs) of FTX Digital Markets Ltd ('In Provisional Liquidation') ("the Company") pursuant to **Section 205 (3)** of the **Companies (Winding Up Amendment) Act, 2011** ("CWUAA"), Order 11, Rule 1 of the **Companies Liquidation Rules, 2012** ("CLR") and/or the inherent jurisdiction for an Order that the JPLs may:

1. Obtain the sanction of this Honourable Court to seek confirmation and/or approval from the Delaware Bankruptcy Court in the Chapter 11 Proceedings that the JPLs contemplated directions application ("the Directions Application") in The Bahamas in the form as exhibited to the Fourth Affidavit of Brian Simms KC filed herein on 15th March 2023 will not be in breach of the automatic stay in favour of the Chapter 11 Debtors in the US Proceedings;
2. Alternatively, if the Delaware Bankruptcy Court is of the view that the Directions Application, would, if issued, be in breach of the automatic stay, sanction of this

Honourable Court to make an application to the Delaware Bankruptcy Court for relief from the automatic stay so that the issuance of the Directions Application would not be in breach of same.

3. An Order that the costs of and occasioned by this application be paid out of the assets of the Company and/or trust assets.
4. Such further or other relief as the Court may deem necessary.

DATED this 15th day of March A.D., 2023

REGISTRAR

This Ex-Parte Summons was taken out by Lennox Paton, Chambers, 3 Bayside Executive Park, West Bay Street and Blake Road, Nassau, The Bahamas, Attorneys for the Joint Provisional Liquidators

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