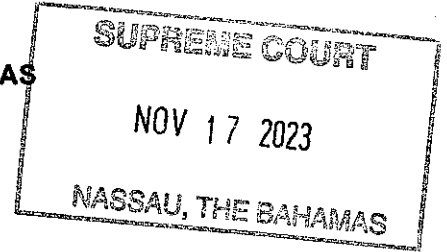


IN THE COMMONWEALTH OF THE BAHAMAS

IN THE SUPREME COURT

Commercial Division

Claim No. 2022/COM/com/00060



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)

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## WINDING UP ORDER

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Before The Honourable Mr Justice Loren Klein

Dated the 10<sup>th</sup> day of November A.D., 2023

UPON THE HEARING OF THE PETITION of Securities Commission of The Bahamas, presented on 10<sup>th</sup> November 2022 (“the Winding-Up Petition”) for an Order that FTX Digital Markets Ltd (“the Company”) be wound up.

AND UPON EVIDENCE OF NOTICE having been provided to those entitled to appear and be heard under Order 3 Rule 15 of The Companies Liquidation Rules 2012.

AND UPON READING the Affidavit of Christina R. Rolle filed on 11 November 2022, Second Affidavit of Christina R. Rolle filed on 9 November 2023, Affidavit of Brian C. Simms KC filed on 11 November 2022, Second Affidavit of Brian C. Simms, KC filed on 14 November 2022, Third Affidavit of Brian C. Simms, KC filed on 6 February 2023, Fourth Affidavit of Brian C. Simms, KC filed on 15 March 2023, Affidavit of Peter J. Greaves filed on 14 November 2022, the Affidavit of Kevin G. Cambridge filed on 14 November 2022, Third Affidavit of Kevin G. Cambridge filed on 13 December 2022, the Fourth Affidavit of Kevin G. Cambridge filed on 13 December 2022, Seventh Affidavit of Kevin G. Cambridge filed on 8 February 2023, Ninth Affidavit of Kevin G. Cambridge filed on 24 May 2023, Eleventh Affidavit of Kevin G.

Cambridge filed on 20 June 2023 and Fourteenth Affidavit of Kevin G. Cambridge filed on 9 November 2023.

**AND UPON HEARING IN OPEN COURT** Robert K. Adams KC and Edward J. Marshall II of Counsel for Securities Commission of The Bahamas, Sophia Rolle-Kapousouzoglou, Valdere Murphy and Sebastian Masnyk of Counsel for Brian C. Simms, KC, Peter J. Greaves and Kevin G. Cambridge, the Joint Provisional Liquidators of the Company and Peter D Maynard, KC, Jason Maynard and Colin Jupp of Counsel for the Foreign Representative of FTX Trading Ltd.

**AND UPON** the Court appointed Joint Provisional Liquidators of the Company being present and consenting to appointment as Joint Official Liquidators, if the Court thinks fit

**IT IS HEREBY ORDERED AND DIRECTED THAT:-**

1. The Company be wound up in accordance with the provisions of the Companies Act, 1992 (as amended) and as applicable to the winding up of International Business Companies under the Companies (Winding Up Amendment) Act, 2011('the Act').
2. Pursuant to sections 200 and 201 of the Act, Brian C. Simms KC of 3 Bayside Executive Park, West Bay Street and Blake Road, Nassau, New Providence, The Bahamas, Kevin G. Cambridge of 2 Bayside Executive Park, West Bay Street, Nassau, New Providence, The Bahamas and Peter J. Greaves of 22/F, Prince's Building, Central, Hong Kong, the Joint Provisional Liquidators of the Company appointed pursuant to Orders dated 10 November 2022, and 14 November 2022, respectively and filed herein on 11 November 2022, and 15 November 2022, respectively, be and are hereby appointed as Joint Official Liquidators to carry out the winding up of the Company;
3. Pursuant to section 205 of the Act, the Joint Official Liquidators be and are hereby authorized to exercise any of the general powers or to carry out the functions for which they are appointed including,
  - (i) with the sanction of the court, those powers contained in Part I of the Fourth Schedule of the Act; and
  - (ii) without the sanction of the Court the exercise of the general powers specified in Part II of the Fourth Schedule of the Act.

4. Until further order of this Court the Joint Official Liquidators are directed to take all and any necessary steps that they consider fit to and collect and get in all of the property and/or assets of the Company, of whatever nature wherever situate for the avoidance of doubt including any assets held on trust by the Company.
5. The law firm of Lennox Paton will be at liberty to assist the Joint Official Liquidators in the carrying out of the Joint Official Liquidators' functions and duties in the winding up of the Company.
6. The Joint Official Liquidators will on 10 November 2024 and thereafter at twelve-monthly intervals file with this Court subsequent reports in writing as to the position or the progress made in the winding up of the Company, including regarding the realization of the assets thereof (if any), and as to any other matters connected with the winding up of the Company.
7. The Petitioner's and Joint Official Liquidators' costs of these proceedings are to be paid out of the Company's estate and/or trust assets, to be taxed if not agreed.

**BY ORDER OF THE COURT**

**REGISTRAR**

**This Order was drawn by DELANEY PARTNERS of and whose address for service is Lyford Manor (West Bldg), Western Road, Lyford Cay, Nassau, NP, The Bahamas, Attorneys for the Petitioner.**

**COMMONWEALTH OF THE BAHAMAS  
IN THE SUPREME COURT  
COMMERCIAL DIVISION**

**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)**

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**WINDING UP ORDER**

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**2022/COM/com/00060**

  
**DELANEY PARTNERS**  
Lyford Manor (West Bldg.)  
Western Road, Lyford Cay  
New Providence, The Bahamas

Attorneys for the Petitioner

RKA/EJM/sjs 0833-2949