

IN THE COMMONWEALTH OF THE BAHAMAS

IN THE SUPREME COURT

Commercial Division

Claim No. 2022/COM/com/00060

**SUPREME COURT**

NOV 09 2023

**NASSAU, THE BAHAMAS**

**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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**SECOND AFFIDAVIT OF CHRISTINA R. ROLLE**

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I, **CHRISTINA R. ROLLE**, Executive Director of The Securities Commission of The Bahamas ("**the Commission**") and/or "**the Petitioner**") of the Island of New Providence, one of the Islands of the Commonwealth of The Bahamas, **MAKE OATH AND SAY** as follows:

1. I make this Affidavit on behalf of the Commission, the Petitioner herein, in my capacity as the Executive Director of the Commission.
2. The facts and matters referred to herein are, unless otherwise stated, within my own knowledge or are obtained from information and documents in possession of the Commission and are true to the best of my knowledge, information and belief. Where the matters deposed hereto are not within my knowledge, they are derived from the sources which I identify and are true to the best of my information and belief.
3. This Affidavit is made in support of the Winding-Up Petition filed herein on 11 November 2022 ("**the Petition**"), seeking an Order that FTX Digital Markets Ltd. ("FTXDM") be wound up by this

Honourable Court in accordance with the provisions of the Companies (Winding Up Amendment) Act, 2011 on the grounds that it is insolvent and that it is just and equitable to do so.

**Procedural History of Action**

4. On 10 November 2022, the Petitioner issued a Summons for Directions for, inter alia, the appointment of Brian K. Simms KC as the Provisional Liquidator of FTX Digital Markets Ltd. ("FTXDM") and a direction as to whether this Petition should be served and, if so, upon whom it ought to be served.
5. The Summons for Directions issued by the Petitioner was heard by this Honourable Court on the same date and an Order was made by this Honourable Court which was filed on 11 November 2022.
6. According to the terms of the Order made herein on 10 November 2022, Mr. Brian K. Simms KC was appointed as the Provisional Liquidator of FTXDM and the hearing of this Petition was scheduled for 10 February 2023. No direction, however, was provided by the Court as to the service of this Petition and/or to whom notice of the hearing date ought to be given. On 15 November 2022, a further Order was made herein appointing Mr. Peter J Greaves and Mr. Kevin G Cambridge as Joint Provisional Liquidators along with Mr. Brian K. Simms KC.
7. The hearing of this Petition originally scheduled for 10 February 2023, was adjourned by this Honourable Court to 9 August 2023, further to an application by the Commission. Thereafter, the hearing of the Petition was adjourned to 28 September 2023, and again, to 10 November 2023.
8. By letters dated 2 and 3 November 2023, the Attorneys appearing herein for the Commission gave the individuals specified in Order 3 rule 15 (2) of the Liquidation Rules, 2012, by attorneys, notice of the 10 November 2023 fixture for the hearing of the Petition. In addition, the individuals were informed of their right to appear and be heard upon providing Counsel for the Commission with not less than three (3) days' notice of the same. There is now produced and shown to me and marked Exhibit "CR-1" copies of the said letters dated 2 and 3 November 2023.

9. In particular, the following persons and/or entities were provided with notice of the 10 November 2023 fixture for the hearing of the Petition:-

- i. FTXDM via its Registered Office at Clement T. Maynard & Co. and via Counsel for the Joint Provisional Liquidators;
- ii. FTX Trading Ltd., the sole Member of FTXDM, via its local Counsel, Peter D. Maynard & Co.;
- iii. Samuel Bankman-Fried, a Director based on FTXDM's Register of Directors filed with the Registrar General as of 10 May, 2022, via his attorney Ms. Krystal Rolle KC; and
- iv. Ryan Salame, a Director based on FTXDM's Register of Directors filed with the Registrar General as of 10 May, 2022, via his attorney Mr. Damian Gomez KC. There is now produced and shown to me and marked Exhibit "CR-2" a true copy of the Register of Directors for FTXDM filed in the Registrar Generals' Department as of 10 May 2022.

10. As of the date of this Affidavit, the Commission has received a Notice filed by Messrs, Peter Maynard & Co on behalf of FTX Trading Ltd. of their intention to appear on the hearing of the Petition. Neither Mr. Bankman-Fried nor Mr. Salame, however, have filed and served Notices of their intention to appear on the hearing of the Petition. By letter dated 6 November, 2023, however, counsel for Mr. Bankman-Fried, Mrs Krystal Rolle KC informed Counsel for the Commission that her client 'wishes to be heard' on the hearing of the Petition, but she was unable to confirm that she would be 'sufficiently instructed to make representations on 10<sup>th</sup> November, 2023'. Therefore, she might require additional time. There is now produced and shown to me and marked Exhibit "CR-3" true copies of the Notice of Intention to Appear filed on behalf of FTX Trading Ltd. and the said letter dated 6 November 2023, from Mrs. Krystal Rolle KC.

#### **FTXDM's Directors Are Not Fit and Proper**

11. At the time of presenting this Petition, the Commission no longer had confidence in the directors and managers of FTXDM to manage the company in accordance with the standards prescribed by the Digital Assets and Registered Exchanges Act due to their repeated failure to comply the Commission's request for information. In this regard, the Commission's loss of confidence was well-founded.

12. On 7 September, 2023, Mr Ryan Salame, a director of the company, pleaded guilty to criminal charges of conspiracy to make unlawful contributions and defraud the United States Federal Election Commission and conspiracy to operate an unlicensed money-transferring business. He is scheduled to be sentenced on 6 March, 2024.
13. On 2 November, 2023, The United States District Court, Southern District of New York, convicted Mr Samuel Bankman-Fried of 7 seven criminal charges; namely, (i) conspiracy to commit wire fraud on customers of FTX, (ii) wire fraud on customers of FTX, (iii) wire fraud on lenders to Alameda Research (iv) wire fraud on lenders to Alameda Research (v) conspiracy to commit fraud on customers of FTX in connection with the purchase and sale of derivatives (vi) conspiracy to commit securities fraud on investors in FTX and (vii) conspiracy to commit money laundering. His sentencing hearing scheduled for 28 March 2024.
14. Neither Ryan Salame nor Samuel Bankman-Fried could be considered fit and proper individuals to serve as directors of FTXDM and both of them are incapable of discharging any management function in relation to FTXDM.

**Appointment of Official Liquidators of FTXDM**

15. In the event this Honourable Court is satisfied that the grounds for the winding-up order are duly established based on the evidence adduced, there are sound reasons for this Honourable Court to appoint Messrs. Brian Simms KC, Peter Greaves and Kevin Cambridge to serve as Joint Official Liquidators of FTXDM,
16. Messrs. Simms, Greaves and Cambridge presently serve as Joint Provisional Liquidators of FTXDM appointed by this Honourable Court. In that capacity, over the preceding year, each of them has gained knowledge respecting the former business operations of FTXDM.
17. In addition, on behalf of FTXDM, the Joint Provisional Liquidators are engaged in legal proceedings before the Bankruptcy Court in Delaware, USA and time sensitive negotiations to fully resolve such proceedings and promote the harmonious administration of the insolvent estate of FTXDM and other entities in the FTX group of companies.

18. Considerable time and expense would be required for new individuals to acquire such knowledge and understanding to effectively act in place of Messrs. Simms, Greaves and Cambridge to the detriment of the creditors and customers of FTXDM. Such likely time and expense would be contrary to the interest of the creditors and customers of FTXDM and the public.
19. In the circumstances, the Commission also urges this Honourable Court to appoint Messrs. Brian Simms KC, Peter Greaves and Kevin Cambridge as the Official Liquidators for FTXDM upon the making of a Winding-Up Order herein.

**SWORN TO** at Nassau,  
New Providence, this 9<sup>th</sup>  
day of November, A.D., 2023

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Before me,



**NOTARY PUBLIC**



**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 FTX DIGITAL MARKETS LTD.  
(A Registered Digital Asset Business)**

**SECURITIES COMMISSION OF THE BAHAMAS**

**Plaintiff**

**AND**

**FTX DIGITAL MARKETS LTD.**

**Defendant**

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**CERTIFICATE**

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**I HEREBY CERTIFY** that these are the Exhibits marked "CR-1" to "CR-3" referred to in the Second Affidavit of Christina R. Rolle dated and sworn to before me this 9<sup>th</sup> day of November, A.D., 2023.



**NOTARY PUBLIC**





DELANEY  
PARTNERS

Our Ref: RKA/EJM/sjs 0833-2949

2 November 2023

**BY EMAIL** [allyson@clementmaynard.com](mailto:allyson@clementmaynard.com)

**FTX Digital Markets Limited,**  
**r/o CLEMENT T. MAYNARD & CO.**  
G.K. Symonette Building,  
Shirley Street, Nassau,  
The Bahamas

**Attn: Mrs. Allyson Maynard-Gibson:**

**Re: IN THE MATTER OF FTX DIGITAL MARKETS LTD (A REGISTERED DIGITAL ASSET BUSINESS) – Supreme Court Action No. 2020/COM/com/00060**

We refer to the hearing of the Winding-Up Petition filed in the above-named Action on 11 November 2022.

Enclosed herewith, by way of service, is a copy of the Notice of Adjourned Hearing filed in the above-named Action today. You will note from the same that the hearing of the Winding-Up Petition has now been scheduled for **10 November 2023, at 10:00 am**. A hard copy of the said Notice of Adjourned Hearing will also be served on your Chambers.

We look forward to hearing from you.

Yours faithfully,  
**DELANEY PARTNERS**

**Robert K. Adams KG**  
Partner  
Direct line: 242 702 4512  
Email: [radams@delaneypartners.com](mailto:radams@delaneypartners.com)

**COUNSEL & ATTORNEYS-AT-LAW | NOTARIES PUBLIC**

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Member of The Bahamas Financial Services Board. A list of the names of the Partners & Associates is available at the above address and website.



IN THE COMMONWEALTH OF THE BAHAMAS

IN THE SUPREME COURT

Commercial Division

Claim No. 2022/COM/com/00060

**SUPREME COURT**

NOV 9 2023

**NASSAU, THE BAHAMAS**

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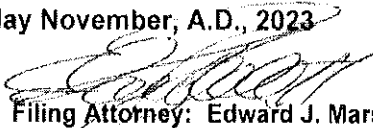
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**NOTICE OF ADJOURNED HEARING**  
**OF**  
**WINDING-UP PETITION**

---

**TAKE NOTICE** that the hearing of the Winding-Up Petition filed herein on 11 November, A.D., 2022, originally fixed for hearing on 10 February 2023, and subsequently adjourned to 28 September 2023, will now be heard on **Friday, 10 November, A.D., 2023 at 10:00 o'clock in the fore-noon** before the Honourable Mr. Justice Loren Klein, in open Court, at the Supreme Court Building, Bank Lane, Nassau, The Bahamas.

Dated the 1<sup>st</sup> day November, A.D., 2023

  
Filing Attorney: Edward J. Marshall II  
Delaney Partners  
Lyford Manor (West Bldg.), Western Road, Lyford Cay,  
New Providence, The Bahamas  
Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)  
Tel No: (242) 702-4500  
Filed on behalf of: The Petitioner



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  
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Filing Attorney: Edward J. Marshall II  
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Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)

Tel No: (242) 702-4500

Filed on behalf of: The Petitioner

IN THE COMMONWEALTH OF THE BAHAMAS

IN THE SUPREME COURT

Commercial Division

Claim No. 2022/COM/com/00060

**SUPREME COURT**

NOV 28 2023

NASSAU, THE BAHAMAS

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AND IN THE MATTER OF FTX Digital Markets Ltd.

(A Registered Digital Asset Business)

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## ORDER

*(Adjournment of Hearing of Winding-Up Petition)*

---

Before The Honourable Mr Justice Loren Klein

Dated the 28<sup>th</sup> day of September A.D., 2023

**UPON THE HEARING** of the Winding-Up Petition presented herein on 10<sup>th</sup> November 2022 ("the Winding-Up Petition").

**AND UPON THE APPLICATION** of the Petitioner, Securities Commission of The Bahamas, by Summons filed herein on 29 September 2023.

**AND UPON HEARING** Mr. Robert K. Adams, KC and Mr. Edward J. Marshall II of Counsel for Securities Commission of The Bahamas.

**IT IS HEREBY ORDERED THAT** the hearing of the Winding-Up Petition be and is hereby adjourned to Friday, 10<sup>th</sup> November, 2023 at 10:00 in the fore-noon and that the costs of and occasioned by this adjournment be reserved.

**BY ORDER OF THE COURT**

**REGISTRAR**

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  
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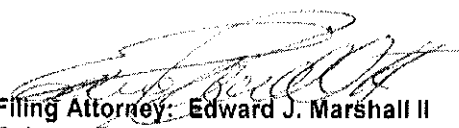
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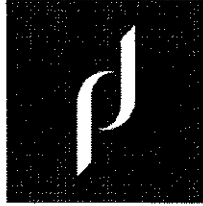
## ORDER

*(Adjournment of Hearing of Winding-Up Petition)*

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Filing Attorney: Edward J. Marshall II  
Delaney Partners  
Lyford Manor (West Bldg.), Western Road, Lyford  
Cay,  
New Providence, The Bahamas  
Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)  
Tel No: (242) 702-4500  
Filed on behalf of: The Petitioner



DELANEY  
PARTNERS

COMMERCIAL LAWYERS

Our Ref: RKA/EJM/sjs 0833-2949

2 November 2023

**BY EMAIL** [srolle@lennoxpaton.com](mailto:srolle@lennoxpaton.com)

Mrs. Sophia Rolle-Kapousouzoglou,  
**LENNOX PATON**  
3 Bayside Executive Park  
West Bay Street & Blake Road,  
New Providence, The Bahamas

Dear Sophia,

**Re: IN THE MATTER OF FTX DIGITAL MARKETS LTD (A REGISTERED DIGITAL ASSET BUSINESS) – Supreme Court Action No. 2020/COM/com/00060**

We refer to the hearing of the Winding-Up Petition filed in the above-named Action on 11 November 2022.

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Yours faithfully,  
**DELANEY PARTNERS**

**Robert K. Adams KG**  
Partner  
Direct line: 242 702 4512  
Email: [radams@delaneypartners.com](mailto:radams@delaneypartners.com)

COUNSEL & ATTORNEYS-AT-LAW | NOTARIES PUBLIC

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IN THE COMMONWEALTH OF THE BAHAMAS

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**SUPREME COURT**

NOV 12 2023

NASSAU, THE BAHAMAS

**IN THE MATTER OF the Digital Assets and Registered Exchanges Act, 2020  
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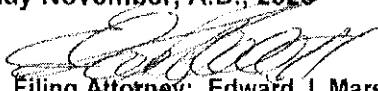
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**NOTICE OF ADJOURNED HEARING  
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**Dated the 1<sup>st</sup> day November, A.D., 2023**



**Filing Attorney: Edward J. Marshall II**

**Delaney Partners**

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

**Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)**

**Tel No: (242) 702-4500**

**Filed on behalf of: The Petitioner**

IN THE COMMONWEALTH OF THE BAHAMAS

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Filing Attorney: Edward J. Marshall II  
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Filed on behalf of: The Petitioner

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## ORDER

*(Adjournment of Hearing of Winding-Up Petition)*

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Before The Honourable Mr Justice Loren Klein

Dated the 28<sup>th</sup> day of September A.D., 2023

**UPON THE HEARING** of the Winding-Up Petition presented herein on 10<sup>th</sup> November 2022 ("the Winding-Up Petition").

**AND UPON THE APPLICATION** of the Petitioner, Securities Commission of The Bahamas, by Summons filed herein on 29 September 2023.

**AND UPON HEARING** Mr. Robert K. Adams, KC and Mr. Edward J. Marshall II of Counsel for Securities Commission of The Bahamas.

**IT IS HEREBY ORDERED THAT** the hearing of the Winding-Up Petition be and is hereby adjourned to Friday, 10<sup>th</sup> November, 2023 at 10:00 in the fore-noon and that the costs of and occasioned by this adjournment be reserved.

**BY ORDER OF THE COURT**

**REGISTRAR**



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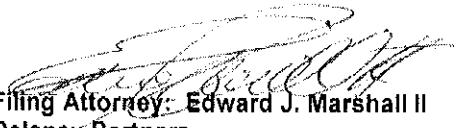
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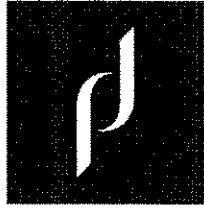
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Filed on behalf of: The Petitioner



DELANEY  
PARTNERS

COMMERCIAL LAWYERS

Our Ref: RKA/EJM/sjs 0833-2949

2 November 2023

**BY EMAIL** [dalqlaw@gmail.com](mailto:dalqlaw@gmail.com)

Ms. Damian Gomez, KC  
**MCKINNEY, TURNER & CO.**  
Oakbridge House,  
13 West Hill St.,  
Nassau, The Bahamas

Dear Ms. Gomez KC,

**Re: IN THE MATTER OF FTX DIGITAL MARKETS LTD (A REGISTERED DIGITAL ASSET BUSINESS) – Supreme Court Action No. 2020/COM/com/00060**


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As a Director of FTX Digital Markets Ltd. your client, Mr. Ryan Salame, falls within the category of persons under O. 3 r. 15 (2) of the Liquidation Rules 2012 who are entitled to appear and be heard on the Winding-Up Petition upon providing us with not less than three (3) days' notice. Against this background, kindly confirm, by way of return letter, whether Mr. Salame intends to appear on the hearing of the Winding-Up Petition scheduled for 10 November 2023, **on or before close of business on 6 November 2023**.

We look forward to hearing from you.

Yours faithfully,  
**DELANEY PARTNERS**

  
Robert K. Adams KC  
Partner

Direct line: 242 702 4512

Email: [radams@delaneypartners.com](mailto:radams@delaneypartners.com)

COUNSEL & ATTORNEYS-AT-LAW | NOTARIES PUBLIC

Lyford Manor, West Building, Lyford Cay, West Bay Street, P.O. Box CB-13002, Nassau, NR, The Bahamas  
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Mr. Adams is a member of the Bahamas and United Kingdom Bars and is also a member of the International Bar Association and the International Association of Lawyers. Mr. Adams is also a member of the Bahamas and United Kingdom Bars and is also a member of the International Bar Association and the International Association of Lawyers.



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**Dated the 1<sup>st</sup> day November, A.D., 2023**

  
**Filing Attorney: Edward J. Marshall II**  
**Delaney Partners**  
**Lyford Manor (West Bldg.), Western Road, Lyford Cay,**  
**New Providence, The Bahamas**  
**Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)**  
**Tel No: (242) 702-4500**  
**Filed on behalf of: The Petitioner**

IN THE COMMONWEALTH OF THE BAHAMAS

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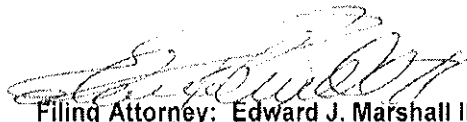
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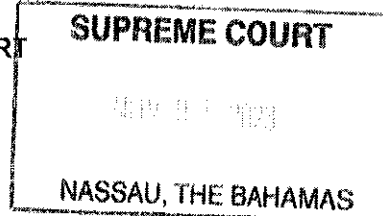
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## ORDER

*(Adjournment of Hearing of Winding-Up Petition)*

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Before The Honourable Mr Justice Loren Klein

Dated the 28<sup>th</sup> day of September A.D., 2023

UPON THE HEARING of the Winding-Up Petition presented herein on 10<sup>th</sup> November 2022 ("the Winding-Up Petition").

AND UPON THE APPLICATION of the Petitioner, Securities Commission of The Bahamas, by Summons filed herein on 29 September 2023.

AND UPON HEARING Mr. Robert K. Adams, KC and Mr. Edward J. Marshall II of Counsel for Securities Commission of The Bahamas.

IT IS HEREBY ORDERED THAT the hearing of the Winding-Up Petition be and is hereby adjourned to Friday, 10<sup>th</sup> November, 2023 at 10:00 in the fore-noon and that the costs of and occasioned by this adjournment be reserved.

BY ORDER OF THE COURT

REGISTRAR

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

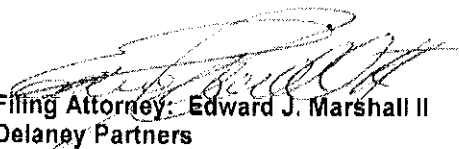
AND IN THE MATTER OF FTX Digital Markets Ltd.  
(A Registered Digital Asset Business)

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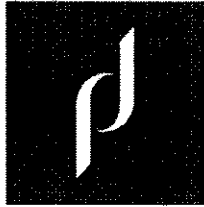
## ORDER

*(Adjournment of Hearing of Winding-Up Petition)*

---



Filing Attorney: Edward J. Marshall II  
Delaney Partners  
Lyford Manor (West Bldg.), Western Road, Lyford  
Cay,  
New Providence, The Bahamas  
Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)  
Tel No: (242) 702-4500  
Filed on behalf of: The Petitioner



DELANEY  
PARTNERS

COMMERCIAL LAWYERS

Our Ref: RKA/EJM/sjs 0833-2949

2 November 2023

**BY EMAIL** [krystal.rolle@rolleandrollelaw.com](mailto:krystal.rolle@rolleandrollelaw.com)

Ms. Krystal Rolle, KC  
**ROLLE AND ROLLE**  
Seventh Terrace West,  
Centerville, Nassau,  
The Bahamas

Dear Ms. Rolle KC,

**Re: IN THE MATTER OF FTX DIGITAL MARKETS LTD (A REGISTERED DIGITAL ASSET BUSINESS) – Supreme Court Action No. 2020/COM/com/00060**

We refer to the hearing of the Winding-Up Petition filed in the above-named Action on 11 November 2022.

Enclosed herewith, by way of service, is a copy of the Notice of Adjourned Hearing filed in the above-named Action today. You will note from the same that the hearing of the Winding-Up Petition has now been scheduled for **10 November 2023, at 10:00 am**.

As a Director of FTX Digital Markets Ltd. your client, Mr. Samuel Bankman-Fried, falls within the category of persons under O. 3 r. 15 (2) of the Liquidation Rules 2012 that are entitled to appear and be heard on the Winding-Up Petition upon providing us with not less than three (3) days' notice. Against this background, kindly confirm, by way of return letter, whether Mr. Bankman-Fried intends to appear on the hearing of the Winding-Up Petition scheduled for 10 November 2023, **on or before close of business on 6 November 2023**.

We look forward to hearing from you.

Yours faithfully,  
**DELANEY PARTNERS**

  
Robert K. Adams KC –  
Partner  
Direct line: 242 702 4512  
Email: [radams@delaneypartners.com](mailto:radams@delaneypartners.com)

COUNSEL & ATTORNEYS-AT-LAW | NOTARIES PUBLIC

Lyford Manor, West Building, Lyford Cay, West Bay Street, P.O. Box CB-13007, Nassau, NP, The Bahamas  
T: (242) 702-4500 | F: (242) 702-4524 | [info@delaneypartners.com](mailto:info@delaneypartners.com) | [www.delaneypartners.com](http://www.delaneypartners.com)

Members of the Bahamas Companies Liquidation Fund, the Liquidation Fund of the Bahamas, are authorized to act as liquidators of the assets of the Fund.





IN THE COMMONWEALTH OF THE BAHAMAS

IN THE SUPREME COURT

Commercial Division

Claim No. 2022/COM/com/00060

**SUPREME COURT**

NOV 02 2023

NASSAU, THE BAHAMAS

**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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**NOTICE OF ADJOURNED HEARING**

**OF**

**WINDING-UP PETITION**

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**TAKE NOTICE** that the hearing of the Winding-Up Petition filed herein on 11 November, A.D., 2022, originally fixed for hearing on 10 February 2023, and subsequently adjourned to 28 September 2023, will now be heard on **Friday, 10 November, A.D., 2023 at 10:00 o'clock in the fore-noon** before the Honourable Mr. Justice Loren Klein, in open Court, at the Supreme Court Building, Bank Lane, Nassau, The Bahamas.

**Dated the 1<sup>st</sup> day November, A.D., 2023**

  
**Filing Attorney: Edward J. Marshall II**  
**Delaney Partners**  
**Lyford Manor (West Bldg.), Western Road, Lyford Cay,**  
**New Providence, The Bahamas**  
**Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)**  
**Tel No: (242) 702-4500**  
**Filed on behalf of: The Petitioner**

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

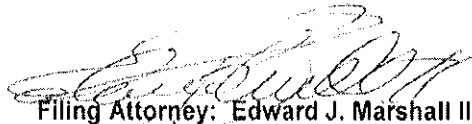
AND IN THE MATTER OF FTX Digital Markets Ltd.

(A Registered Digital Asset Business)

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**NOTICE OF ADJOURNED HEARING  
OF  
WINDING-UP PETITION**

---



Filing Attorney: Edward J. Marshall II

Delaney Partners

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

Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)

Tel No: (242) 702-4500

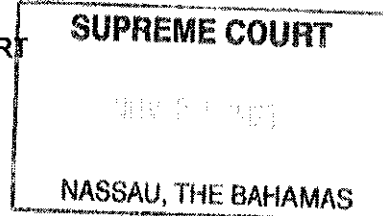
Filed on behalf of: The Petitioner

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)

---

## ORDER

*(Adjournment of Hearing of Winding-Up Petition)*

---

Before The Honourable Mr Justice Loren Klein

Dated the 28<sup>th</sup> day of September A.D., 2023

**UPON THE HEARING** of the Winding-Up Petition presented herein on 10<sup>th</sup> November 2022 ("the Winding-Up Petition").

**AND UPON THE APPLICATION** of the Petitioner, Securities Commission of The Bahamas, by Summons filed herein on 29 September 2023.

**AND UPON HEARING** Mr. Robert K. Adams, KC and Mr. Edward J. Marshall II of Counsel for Securities Commission of The Bahamas.

**IT IS HEREBY ORDERED THAT** the hearing of the Winding-Up Petition be and is hereby adjourned to Friday, 10<sup>th</sup> November, 2023 at 10:00 in the fore-noon and that the costs of and occasioned by this adjournment be reserved.

**BY ORDER OF THE COURT**

**REGISTRAR**

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.

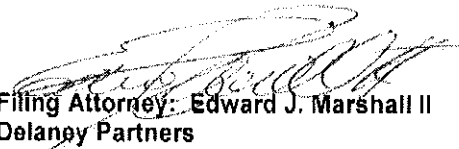
(A Registered Digital Asset Business)

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## ORDER

*(Adjournment of Hearing of Winding-Up Petition)*

---



Filing Attorney: Edward J. Marshall II  
Delaney Partners  
Lyford Manor (West Bldg.), Western Road, Lyford  
Cay,  
New Providence, The Bahamas  
Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)  
Tel No: (242) 702-4500  
Filed on behalf of: The Petitioner



Our Ref: RKA/EJM/sjs 0833-2949

**BY EMAIL** [jason.maynard@maynardlaw.com](mailto:jason.maynard@maynardlaw.com)

Mr. Jason Maynard,  
**PETER D. MAYNARD & CO.**  
Bay & Deveaux Street,  
Nassau, New Providence,  
The Bahamas

Dear Mr. Maynard,

**Re: IN THE MATTER OF FTX DIGITAL MARKETS LTD (A REGISTERED DIGITAL ASSET BUSINESS) – Supreme Court Action No. 2020/COM/com/00060**

We act for the Securities Commission of The Bahamas, the Petitioner in the above-named Action and we are instructed that your firm acts for FTX Trading Ltd. in this jurisdiction.

We refer to the hearing of the Winding-Up Petition filed in the above-named Action on 11 November 2022.

Enclosed herewith, by way of service, is a copy of the Notice of Adjourned Hearing filed in the above-named Action on 2 November 2023. You will note from the same that the hearing of the Winding-Up Petition has now been scheduled for **10 November 2023, at 10:00 am**. A hard copy of the said Notice of Adjourned Hearing will also be served on your Chambers.

As the Member of FTX Digital Markets Ltd., FTX Trading Ltd., falls within the category of persons under O. 3 r. 15 (2) of the Liquidation Rules 2012 who are entitled to appear and be heard on the Winding-Up Petition upon providing us with not less than three (3) days notice. Against this background, kindly confirm, by way of return letter, whether FTX Trading Ltd. intends to appear

COUNSEL &amp; ATTORNEYS-AT-LAW | NOTARIES PUBLIC

Lyford Manor, West Building, Lyford Cay, West Bay Street, P.O. Box CB-13007, Nassau, NP, The Bahamas  
T: (242) 702-4560 | F: (242) 702-4524 | [info@delaneypartners.com](mailto:info@delaneypartners.com) | [www.delaneypartners.com](http://www.delaneypartners.com)





on the hearing of the Winding-Up Petition scheduled for 10 November 2023, **on or before close of business on 7 November 2023.**

We look forward to hearing from you.

Yours faithfully,  
**DELANEY PARTNERS**

Robert K. Adams KC  
Partner  
Direct line: 242 702 4512  
Email: [radams@delaneypartners.com](mailto:radams@delaneypartners.com)

copy

**Incorporation date: 3<sup>rd</sup> May, 2022**

REGISTERED GENERAL'S DEPARTMENT  
MAY 10 2022  
ACCOUNTS  
148801, BAHAMAS



6<sup>th</sup> November, 2023.

Via Email [radams@delaneypartners.com](mailto:radams@delaneypartners.com) & BY HAND

Mr. Robert K. Adams K.C.  
**DELANEY PARTNERS**  
Lyford Manner, West Building  
Lyford Cay, West Bay Street  
Nassau, NP, The Bahamas.

Dear Mr. Adams K.C.


**Re: IN THE MATTER OF FTX DIGITAL MARKETS LTD. (A  
REGISTERED DIGITAL ASSET BUSINESS) - Supreme  
Court Action No. 2020/com/COM/00060.**

We hereby acknowledge receipt of your letter of 2<sup>nd</sup> November, 2023 with reference to the above captioned proceedings requesting that Mr. Samuel Bankman-Fried confirm whether he wishes to appear and be heard on the Winding-Up Petition scheduled for 10<sup>th</sup> November, 2023.

We hereby give notice that Mr. Bankman-Fried wishes to be heard on the Winding-Up Petition. However, as you can well imagine, our ability to obtain instructions from Mr. Bankman-Fried has its challenges by reason of his incarceration. As such we are unable to confirm that we will be sufficiently instructed to make such representations on 10<sup>th</sup> November, 2023. We must therefore foreshadow that we may require additional time for this purpose.

In any event, we are endeavoring to obtain Mr. Bankman-Fried's further instructions and shall provide such confirmation as soon as our instructions in this regard are solidified.

Yours sincerely,  
**ROLLE & ROLLE**

  
Mrs. Krystal D. Rolle, KC

## Rolle & Rolle

Council & Attorneys-at-Law  
Notaries Public

### PARTNERS

Wallace Rolle  
BA, LLB (Honors) LEC

Krystal D. Rolle  
Queens Council  
BS, LLB (Honors) LECM

### ASSOCIATE LAWYER

Kendrea D. Demeritte

### CHAMBERS

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Island Lane, Olde Towne  
Sandyport  
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West Bay Street

242.326.7448

242.326.7777

242.326-3511

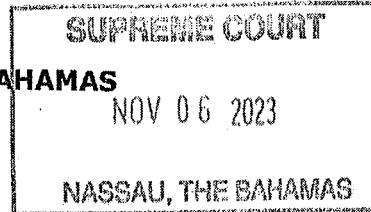
[krystal.rolle@rolleandrollelaw.com](mailto:krystal.rolle@rolleandrollelaw.com)

[wallace.rolle@rolleandrollelaw.com](mailto:wallace.rolle@rolleandrollelaw.com)

[kendrea.demeritte@rolleandrollelaw.com](mailto:kendrea.demeritte@rolleandrollelaw.com)

[officeof@rolleandrollelaw.com](mailto:officeof@rolleandrollelaw.com)

COMMONWEALTH OF THE BAHAMAS  
IN THE SUPREME COURT  
COMMERCIAL DIVISION



2022  
COM/com/00061

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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**NOTICE OF INTENTION  
TO APPEAR ON PETITION**


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Winding-up Petition presented on 11<sup>th</sup> November, A.D 2022

To be heard on 10<sup>th</sup> November, A.D 2023

**TAKE NOTICE** that **KURT KNIPP**, of Valparaiso, Indiana of the United States of America, the Foreign Representative of FTX Trading Ltd., the sole member of FTX Digital Markets Ltd., intends to appear on the hearing of the Petition of the Securities Commission of The Bahamas to wind up FTX Digital Markets Ltd., to support it.

**Dated this 6<sup>th</sup> day of November, A.D. 2023**

  
**PETER D. MAYNARD**  
**Counsel & Attorneys**  
Bay & Deveau Streets  
P.O. Box N-1000  
Nassau, Bahamas

**Attorneys for the Foreign Representative**

**TO: Delaney Partners**  
Lyford Manor, West Building,  
Western Road, Lyford Cay  
Nassau, 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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**NOTICE OF INTENTION TO  
APPEAR ON PETITION**

=====

**2022/COM/com/00061**

  
**PETER D. MAYNARD**

Counsel & Attorneys  
Chambers  
Bay & Deveau Streets  
Nassau, Bahamas

**Attorneys for the Foreign Representative**

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)

---

**SECOND AFFIDAVIT OF CHRISTINA R. ROLLE**

---



Filing Attorney: Edward J. Marshall II  
Delaney Partners  
Lyford Manor (West Bldg.)  
Western Road, Lyford Cay  
New Providence, The Bahamas  
Email: [emarshall@delaneypartners.com](mailto:emarshall@delaneypartners.com)  
Tel No: (242) 702-4500  
Filed on behalf of: The Petitioner