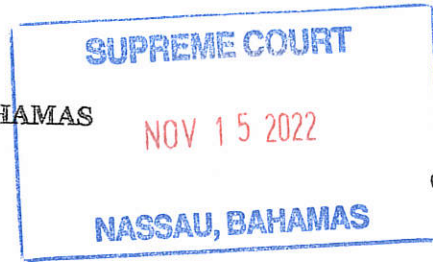


COMMONWEALTH OF THE BAHAMAS  
IN THE SUPREME COURT  
COMMERCIAL DIVISION



2022  
COM/com/

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 FOR APPOINTMENT OF  
ADDITIONAL PROVISIONAL LIQUIDATORS

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Before His Lordship, the Honourable Mr. Chief Justice Ian Winder

Dated the 14<sup>th</sup> day of November, A.D., 2022

UPON THE APPLICATION by an Ex-Parte Summons filed herein on 14<sup>th</sup> November 2022 on behalf of Mr. Brian Cecil Simms KC, the Provisional Liquidator (“the Provisional Liquidator”) of FTX Digital Markets Ltd. (“the Company”).

AND UPON HEARING Mrs. Sophia T. Rolle-Kapousouzoglou with Mr. Valdere J. Murphy of Counsel for the Provisional Liquidator and Mr. Gawaine Ward with Mr. Gladstone Brown of Counsel for the Securities Commission of The Bahamas.

AND UPON reading the Affidavits of Brian Simms KC, Kevin Cambridge and Peter Greaves collectively filed herein on 14<sup>th</sup> November 2022.

IT IS HEREBY ORDERED that: -

1. Messrs. Kevin G Cambridge and Peter Greaves respectively of PricewaterhouseCoopers Advisory (Bahamas) Limited and PricewaterhouseCoopers

**Limited (incorporated in Hong Kong)** be appointed Joint Provisional Liquidators alongside Mr. Brian Cecil Simms KC (“**the JPLs**”).

2. The appointment of Messrs. Kevin G. Cambridge and Peter Greaves will take effect on the same terms as paragraphs 2 to 5 of the Order for Appointment of Provisional Liquidator made by this Honourable Court 10 November 2022 (filed herein on 11<sup>th</sup> November 2022) pursuant to which Mr. Brian Cecil Simms KC was appointed a provisional liquidator by the Honourable Mr. Chief Justice Ian Winder, specifically:

2.1. The JPLs are hereby authorised to take any action that they consider fit under the Companies (Winding Up Amendment) Act 2011 (“**the Act**”), section 199(4) to maintain the value of the assets owned or managed by the Company or to carry out the functions for which they were appointed including,

a. with the sanction of the court, those powers contained in Part I of the Fourth Schedule of the Act; and

b. with or without sanction of the Court the exercise of the general powers specified in Part II of the Fourth Schedule of the Act.

2.2. For the avoidance of doubt, the above-mentioned powers include a power to dispense with the services of the directors and other management of the Company, but the exercise of that power is without prejudice to the duties of the directors and officers under section 230 of the Act.

2.3. Until further order the Company’s directors have no further authority to act or exercise any functions for or on behalf of the Company unless expressly instructed to do so in writing by the JPLs.

2.4. Until further order of this Court the JPLs are directed to take all and any necessary steps that they consider fit to protect the assets of the Company wheresoever situate including any assets held on trust by the Company.

3. The JPLs are authorized to act jointly and severally.
4. That the Affidavit of Brian Simms KC filed herein on 14<sup>th</sup> November 2022 relied on in support of this application be sealed.
5. The remuneration and expenses of the JPLs shall be paid out of the assets of the Company in any event.
6. The costs of and occasioned by this application be paid out of the assets of the Company.

**BY ORDER OF THE COURT**

**REGISTRAR**

*This Order was drawn up by Lennox Paton, Chambers, 3 Bayside Executive Park, West Bay Street and Blake Road, Nassau, The Bahamas, Attorneys for the Provisional Liquidator*

**COMMONWEALTH OF THE BAHAMAS**

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**LENNOX PATON**

Chambers  
No. 3 Bayside Executive Park  
Blake Road and West Bay Street  
Nassau, New Providence  
The Bahamas  
*Attorneys for the Provisional Liquidator*