

This is **Exhibit "L"** referred to in the  
Second Affidavit of Peter R. Wiltshire  
sworn before me, this 16<sup>th</sup> day of January, 2015.

A. GARRETT

ALASKA GARRETT

---

A Commissioner, notary, etc.

# TAB 1

1. Applicant
2. Marcus A. Wide
3. 1st Affidavit
4. Sworn: 10<sup>th</sup> June, 2010
5. Filed: 11<sup>th</sup> June, 2010

**THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

**Claim No. ANUHCV 2009/0149**

**In the Matter of Stanford International Bank Limited (In Liquidation)**

-and-

**In the Matter of the International Business Corporations Act, Cap 222 of the  
Laws of Antigua and Barbuda**

-and-

**In the Matter of an Application for the Removal of the Liquidators**

---

**FIRST AFFIDAVIT OF MARCUS A. WIDE**

---

I, **MARCUS A. WIDE**, Senior Vice President, Financial Advisory Services, of PricewaterhouseCoopers Inc., 1601 Lower Water Street, Suite 400, Halifax, Nova Scotia B3J 3P6, Canada, duly sworn, **MAKE OATH and SAY** as follows:

**A. The Deponent.**

1. I am a Senior Vice President, Financial Advisory Services, of PricewaterhouseCoopers Inc., the insolvency arm of PricewaterhouseCoopers LLP ("PwC").

2. The contents of this Affidavit are true.

**B. The Purpose of this Affidavit.**

3. I understand that this Honourable Court made an Order on Tuesday, 8<sup>th</sup> June 2010 granting the Application of Alexander M. Fundora (“Removal Application”) seeking the removal of Messrs. Nigel Hamilton-Smith and Peter Wastell as Joint Liquidators of Stanford International Bank Limited (in Liquidation) (“SIB”). It is my understanding that this Court has directed Mr. Fundora to make available to the Court the names of three candidate nominee and successor liquidators who are qualified insolvency practitioners, and from which this Court intends to select a new liquidator(s).

4. I have been contacted by the solicitors for Mr. Fundora who have invited me to put my name forward as one of the three candidates for the position as successor liquidator of the estate of SIB.

**C. The Deponent’s Professional Training and Experience.**

5. I am a Chartered Accountant, initially qualifying in the United Kingdom in 1971 and obtaining the designation in Canada in 1984. I am also a Trustee in Bankruptcy under the Canadian *Bankruptcy and Insolvency Act* pursuant to which both corporate and individual insolvency and restructuring are conducted since 1982. I am a Certified Insolvency and Restructuring Practitioner and a member of the Insolvency Institute of Canada. I have practiced in the insolvency and related forensic accounting fields full time for 36 years.

6. Now produced, shown to me and marked Exhibit "MAW-1" is a copy of my current *Curriculum Vitae* for perusal by this Honourable Court. My work experience specifically appropriate to qualify me to act as liquidator of SIB is highlighted herein.
7. Since 1999 my professional activities have been almost exclusively engaged in the offshore financial sector across the Eastern Caribbean. I have conducted the examination and liquidation of approximately 33 offshore banks and other financial enterprises, including substantial forensic work required to trace and recover assets across international boundaries, and to support civil actions against principals, officers, directors and shadow directors.
8. I have served the Eastern Caribbean Supreme Court as a Liquidator, Provisional Liquidator, and Receiver on a number of occasions and I have acted as a Controller of various offshore banks under Ministerial appointment. Now produced, shown to me and marked Exhibit "MAW-2" is a copy of a representative list of Eastern Caribbean jurisdictions and my appointments therein where I served as a Liquidator and officer of the Eastern Caribbean Supreme Court.
9. I have experience in recovering assets from in excess of 30 jurisdictions spanning Europe, Africa, Asia and the Americas and with specific relevance to this matter I have recovered assets from Switzerland, the United Kingdom, the United States, Canada and Latin America.
10. I have been recognized as a foreign representative under Chapter XV of the US Bankruptcy Code (and its predecessor Section 304), under Part XIII of the Canadian *Bankruptcy and Insolvency Act*, and have used the UNCITRAL Model

law in jurisdictions that subscribe to that process in order to administer multijurisdictional insolvencies. I have initiated local bankruptcy proceedings in Switzerland and Austria in order to recover assets located in those jurisdictions and I have obtained recognition and established necessary protocols in Latin America where no supporting legislation or protocol previously existed.

11. I have experience in cases involving office holders appointed in different jurisdictions apparently competing for the same asset pool (and specifically US receivers appointed at the behest of the Securities and Exchange Commission and UK liquidators) and have completed those assignments in both cooperative and litigious processes.
12. My engagements have included the investigation and unravelling of massive Ponzi schemes with international scope. I have given *viva voce* and provided written evidence in numerous civil asset tracing proceedings and have testified in related criminal proceedings, having appeared in courts in the United States, the United Kingdom, Austria, Canada, Netherlands Antilles, Latin America and throughout the Eastern Caribbean.
13. The staff available to me include experts in computer forensics and forensic investigations, certified fraud examiners, and Fellows of INSOL International. They have been involved in many cross-border insolvency assignments and specifically substantial bank related forensic engagements in the Caribbean and Latin America leading to asset recovery actions, civil actions for recovery of damage claims from third parties, and in support of criminal prosecutions. Together we have managed global claims administration processes for the benefit of thousands of creditors.

14. Under my appointments by the Eastern Caribbean Supreme Court I have partnered with my colleagues across the PwC "C8 Region" which includes the Eastern Caribbean, Cayman, and BVI all of whom have expertise in financial services liquidations and serve as a pool of local resources of approximately 27 partners (plus their professional staff) including those resident in Antigua. It is anticipated that utilization of these local resources will serve to reduce travel and associated costs in the administration of the SIB estate should I be appointed as liquidator of SIB.
  
15. If additional expertise and resources are required to meet the professional demands of the SIB liquidation, these can be obtained from other member firms of PwC International, for example, members of the UK firm presently engaged in Lehman Brothers International (Europe) in Administration. Further through the PwC International network, I have access to professionals in every country which has SIB depositors, or where action for recovery of assets may be required. As a result, I am able to marshal the necessary and appropriate resources (from both a cost and expertise perspective) to conduct the administration of the SIB estate.
  
16. Now produced, shown to me and marked Exhibit "MAW-3" is a copy of my letter to Mr. Martin Kenney dated 18<sup>th</sup> February 2010 attaching my proposed rate schedule.

**D. Consent to Act.**

17. I hereby consent to act as the new or successor liquidator of SIB.

18. Now produced, shown to me and marked Exhibit "MAW-4" is a copy of my Consent of Person to Act as Liquidator signed and dated 2<sup>nd</sup> November 2009 and filed previously in these proceedings.

**E. Affidavits of Support Filed by Creditors.**

19. I understand that this Court, at paragraph [247] of its removal Judgment dated 8<sup>th</sup> June 2010 in these proceedings, found that I am the Applicant Fundora's "preferred Liquidator."
20. The Removal Application had the support of a number of other creditors of SIB who also expressed their wishes to replace the Joint Liquidators of SIB with me. The table below sets out the names of those who filed Affidavits in support and the corresponding amounts of the principal sums invested.

<b>Affiant</b>	<b>Amount (Principal)</b>
Alexander Fundora	US\$2,779,526.57
Ricardo Delvalle	US\$361,760.46
Raul Ribeiro	US\$170,000.00
Gina de Umaña	US\$600,000.00
Gina Maria Umaña de Morales	US\$671,095.97
Palma Gisela Tar Levay	US\$392,255.22
Arnoldo Lacayo	US\$1,649,436.26
Patrick Kelly	In excess of US\$66,000,000.00
<b>Total =</b>	<b>In excess of US\$72,624,074.48</b>

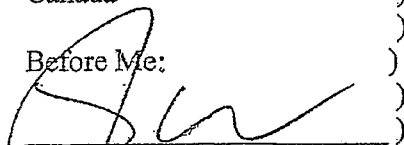
21. To clarify, I have never met nor spoken with Mr. Fundora or any of the other creditors of SIB who have previously indicated support for my appointment to office as liquidator of SIB. I was approached on a professional basis to give my consent to act as liquidator of SIB. In my experience it is customary, and often a requirement of the Court, for an application for compulsory liquidation or substitution to be accompanied by such a consent to act. This approach was made and responded to in a manner consistent with my previous experience in such matters. Subsequent to that I have responded to requests from Mr. Fundora, through his counsel, for information that he advised he needed for the assistance of the Court, such as transition issues and proposed schedule of professional rates.

22. Further it is my practice, where permitted by law, to form a committee of representatives of the entire creditor/depositor body so that the interests of all creditors are considered through the winding-up process. My experience in complex multijurisdictional insolvencies and liquidations is that such a committee provides valuable advice and guidance and a high degree of comfort to me that the interests of all creditors are considered which is my duty as a liquidator. It is my understanding that no such committee has yet been formed in the SIB estate.

23. I confirm my independence and impartiality to act in the office in question.

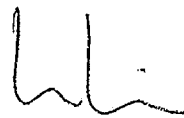
SWORN this 10<sup>th</sup> day of June )  
 2010 at Halifax, Nova Scotia )  
 Canada )

Before Me: )



A Notary Public in and for the )  
 Province of Nova Scotia )

**JUSTIN G. KIMBALL**  
 A Notary Public in and for the  
 Province of Nova Scotia

  
 \_\_\_\_\_  
 MARCUS A. WIDE

1. Applicant
2. Marcus A. Wide
3. 1<sup>st</sup> Affidavit
4. Sworn: 10<sup>th</sup> June, 2010
5. Filed: 11<sup>th</sup> June, 2010

**THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

**Claim No. ANUHCV 2009/0149**

**In the Matter of Stanford International Bank Limited  
(In Liquidation)**

-and-

**In the Matter of the International Business  
Corporations Act, Cap 222 of the  
Laws of Antigua and Barbuda**

-and-

**In the Matter of an Application for the Removal of the  
Liquidators**

---

**FIRST AFFIDAVIT OF MARCUS A. WIDE**

---

**Nicolette M. Doherty**  
**Legal Practitioner for the Applicant**  
Attorney at Law and Notary Public  
PO Box W1661,  
Island House, Newgate Street  
St John's, Antigua, West Indies.  
Telephone: +1 (268) 462-4468/9  
Fax: +1 (268) 561-1056

# TAB 2

1. Applicant
2. Hugh Dickson
3. 1<sup>st</sup> Affidavit
4. Sworn: 10<sup>th</sup> June, 2010
5. Filed: 11<sup>th</sup> June, 2010

**THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

Claim No. ANUHCY 2009/0149

**In the Matter of Stanford International Bank Limited (In Liquidation)**

-and-

**In the Matter of the International Business Corporations Act, Cap 222 of the  
Laws of Antigua and Barbuda**

-and-

**In the Matter of an Application for the Removal of the Liquidators**

---

**FIRST AFFIDAVIT OF HUGH DICKSON**

---

I, **Hugh Dickson**, Qualified Insolvency Practitioner, of Grant Thornton Specialist Services (Cayman) Limited, 7 Dr Roy's Drive, George Town, Cayman Islands duly sworn, **MAKE OATH and SAY** as follows:

**A. The Deponent.**

1. I am a partner with Grant Thornton UK LLP and the managing director of its wholly owned Cayman Islands' subsidiary, Grant Thornton Specialist Services

(Cayman) Limited. I also manage and control Grant Thornton (British Virgin Islands) Limited, another wholly owned subsidiary of Grant Thornton UK LLP. Both operations are practices that exclusively perform restructuring and insolvency work, with a particular emphasis on offshore financial services industry related cases.

2. I make this affidavit on behalf of myself and Mr Stephen John Akers, a fellow partner of Grant Thornton UK LLP and a fellow director of Grant Thornton Specialist Services (Cayman ) Limited, who has duly authorised me to do so.

**B. The Purpose of this Affidavit.**

3. I understand that this Honourable Court made an Order on Tuesday, 8<sup>th</sup> June 2010 granting the Application of Alexander M. Fundora seeking the removal of Messrs. Nigel Hamilton-Smith and Peter Wastell as Joint Liquidators of Stanford International Bank Limited (in Liquidation) ("SIB"). It is my understanding that this Court has directed Mr. Fundora to make available to the Court the names of three candidate nominee and successor liquidators who are qualified insolvency practitioners; and from which this Court intends to select a new liquidator(s).
4. I have been contacted by the solicitors for Mr. Fundora who have invited me to put my name forward, together with a colleague should I believe that a joint appointment is beneficial, as one of the candidates for the position as successor liquidator of the estate of SIB. Grant Thornton's practice is to seek the appointment of joint liquidators on large, complex cases. In our opinion joint appointments provide additional flexibility and resources given the volume of work involved, and cover for the potential unavailability of the liquidator to deal with urgent matters if travelling or if incapacitated.

### III. The Deponent's Professional Training and Experience.

5. I hold a joint Masters degree in Economics and Accounting, and I am a qualified chartered accountant with the Scottish Institute. I am qualified as an insolvency practitioner under the UK Joint Insolvency Examination Board provisions and as a Qualified Insolvency Practitioner under Cayman law and insolvency regulations. My career has included working directly for banks and within the banking regulatory field, in the latter case acting as a senior advisor to central banks and banking regulatory authorities around the world on issues of banking intervention, asset seizure and realisation.
6. I currently hold office as an official liquidator on a number of cases under the purview of the BVI and Cayman Courts. My experience within both jurisdictions includes high value fraud cases and Ponzi schemes, as well as large, complex and contentious cross border cases involving asset tracing, recovery and litigation in multiple jurisdictions, including Switzerland, the UK, US and Canada, all relevant jurisdictions for this case. In that capacity I also have direct experience of dealing with onshore regulatory authorities and law enforcement agencies including the UK Financial Services Authority and Serious Fraud Office, and the Canadian Royal Canadian Mounted Police and the Autorité des Marchés Financiers (who initiated my appointment on one such cross border fraud case).
7. Stephen is a senior partner in Grant Thornton's Recovery and Reorganisation department. He is a chartered accountant and member of the Institute of Chartered Accountants in England and Wales; holds a bachelor's degree in mathematics and is licensed by the Institute of Chartered Accountants in England and Wales as an insolvency practitioner. He is a widely experienced

insolvency practitioner, known best for his role as one of the English Liquidators of the Bank of Credit and Commerce International, the largest ever bank insolvency at that time.

8. Additionally, Stephen was appointed as Provisional Liquidator of Madoff Securities International Limited, the UK company involved in the largest ever known fraud; a US\$50bn "Ponzi" Scheme.
9. Stephen has extensive experience of successfully negotiating and implementing Cross Border Insolvency Protocols to achieve cooperation between insolvencies in different jurisdictions, especially with officeholders in the United States. He also has extensive experience of working with the SEC, FBI and Department of Justice, as well as criminal investigating agencies in other jurisdictions.

**IV. Consent to Act.**

10. As noted above, I have only recently been approached and asked to consider accepting the appointment. Whilst the appropriate conflict of interest checks have been immediately initiated and clearances obtained from our member firms and operations in the US, Canada, UK, Cayman and British Virgin islands, and to date neither I nor Mr Akers have any knowledge of a conflict of interest that would prevent us from acting, it has not been possible within the timeframe available to obtain a definitive response from all parts of the Grant Thornton operation that may have interests in the many countries covered by SIB's operations. Grant Thornton's internal conflict check protocols allow member firms up to 3 days to respond to such checks, and it always possible that a late response may emerge between the date of swearing this affidavit and the hearing of this matter.

11. Given my recent involvement I have not had time to fully acquaint myself with the details of the estate's current financial position. However a number of matters have been brought to my attention:
  - a. As we understand it there is no definitive statement of unencumbered assets under the control of the liquidators available. Conversely the existing liquidators are likely to have incurred substantial expenses, including but not limited to their own fees and those of their legal agents;
  - b. Substantial proportions of the asset base may be subject to conflicting claims, and/or in jurisdictions where the former liquidators appointment and authority is either not yet recognised or contested;
  - c. Even where such authority has been recognised, it has not been confirmed whether that recognition will apply to the new liquidator(s);
  - d. Whilst we are advised that the estate holds substantial unencumbered real estate holdings in Antigua, there may be competing claims against these assets, the assets themselves may not be fully under the control of the present liquidators, and the assets are not immediately liquid. Whilst it may be possible to borrow funds for the liquidation's immediate needs utilising such assets as security, this has not as yet been resolved. We would assume that the terms of such borrowing would have to be agreed by this Honourable Court, and any monies lent may not be on a non recourse basis and require some undertaking or commitment by the liquidators personally; and
  - e. There are a number of legal actions already underway in which the estate is a plaintiff or defendant, where costs, particularly those of legal counsel, will continue to accrue and where there may be limited flexibility to suspend proceedings without undue damage to the estate pending the new liquidators ensuring that the estate has adequate

resources available to meet such costs on a timeous and comprehensive basis.

12. Mr Akers and I have a consequent concern over the immediate ability of the estate to finance current ongoing activities initiated by the previous incumbents, or to prosecute further lines of enquiry and activity that myself, Mr Akers and our firm would ordinarily consider desirable and in the best interests of the estate. Whilst the same issues will be faced irrespective of the identity of the new liquidator, in the interests of full disclosure we wish this Honourable Court to understand that, should it appoint Mr Akers and/or myself, our initial freedom of action may, if these concerns are substantiated once we have a better understanding of the estate's financial position, be limited by the availability of funding until such time as it proves possible to secure assets and realise funds from them.
13. Subject to the above caveats, I hereby consent to act as the new or successor liquidator of SIB, and can affirm that Mr Akers has confirmed to me his consent to act as my joint liquidator on a joint and several basis, should the Honourable Court be minded to so appoint us. For the avoidance of doubt I am also prepared to act as the successor liquidator on a sole basis, if the Honourable Court so orders.

V. *Curriculum Vitae.*


14. Now produced, shown to me and marked HD 1 is a copy of our credentials and our experience for perusal by this Honourable Court. My current *Curriculum Vitae* is at pages 1 to 2 of HD-1. A copy of Mr Stephen Akers current *Curriculum Vitae*, which he has confirmed to me represents an accurate and up to date reflection of his experience and qualifications, is at pages 3 to 4.

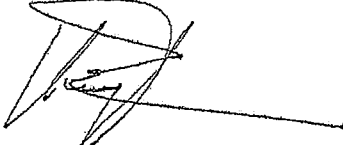
15. Whilst I understand the Honourable Court has asked for the personal details of the proposed liquidators, an assignment of this size will necessitate considerable resources being applied by any appointed liquidator. I therefore wish to comment briefly on the resources that I and my fellow appointee, should the Honourable Court be minded to appoint us, can bring to bear.
  
16. The Grant Thornton Cayman and BVI operations are run in close coordination with the Grant Thornton UK LLP specialist insolvency operation. The common ownership and management structure facilitates seamless access to GTUK staffing and resource (some 37 partners, 19 directors and circa. 620 staff specialising in insolvency and restructuring cases) sufficient to service even the largest or more specialist assignments, coupled with a specialist knowledge of the offshore financial services industry, local insolvency laws and a familiarity with operating in the Caribbean. Our team includes partners with prior insolvency appointments in Antigua, as well as elsewhere within the Eastern Caribbean Circuit. It also offers direct access to our specialist Forensic and Investigations team, who specialise in asset tracing and recovery, particularly in cases involving economic crime, as well as the support of the BVI office within a short travelling distance of Antigua (a 30 minute flight).
  
17. The common ownership and management structure, which I believe to be unique amongst the major insolvency firms operating in the region, also avoids any commercial issues over work allocation and resource sharing that can affect other firms. I consider my firm's structure invaluable in addressing an assignment of this scale, where the international reach and complexity clearly requires liquidators who have the resource capacity and access to specialist resources to tackle the challenges involved.

18. Pages 5 to 17 of HD -1 contain a short statement on the resources of Grant Thornton available for this case, should partners in our firm be appointed as the replacement liquidators, and a note of relevant credentials and experience held by members of the team that will work on the engagement.

19. The contents of this Affidavit are true to the best of my knowledge, information and belief.

SWORN this 10<sup>th</sup> day of June )  
2010 at George Town, )  
Cayman Islands )

Before Me: )  
 )  
\_\_\_\_\_)  
Notary Public )

  
\_\_\_\_\_  
HUGH DICKSON

**MADHAVI MATHURA  
NOTARY PUBLIC  
CAYMAN ISLANDS**

1. Applicant
2. Hugh Dickson
3. 1<sup>st</sup> Affidavit
4. Sworn: 10<sup>th</sup> June, 2010
5. Filed: 11<sup>th</sup> June, 2010

**THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

**Claim No. ANUHCY 2009/0149**

**In the Matter of Stanford International Bank Limited  
(In Liquidation)**

**-and-**

**In the Matter of the International Business  
Corporations Act, Cap 222 of the  
Laws of Antigua and Barbuda**

**-and-**

**In the Matter of an Application for the Removal of the  
Liquidators**

---

**FIRST AFFIDAVIT OF Hugh Dickson**

---

**Nicolette M. Doherty  
Legal Practitioner for the Applicant  
Attorney at Law and Notary Public  
PO Box W1661,  
Island House, Newgate Street  
St John's, Antigua, West Indies.  
Telephone: +1 (268) 462-4468/9  
Fax: +1 (268) 561-1056**

THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA

Claim No. ANUHCY 2009/0149

In the Matter of Stanford International Bank Limited (In Liquidation)

-and-

In the Matter of the International Business Corporations Act, Cap 222 of the  
Laws of Antigua and Barbuda

-and-

In the Matter of an Application for the Removal of the Liquidators

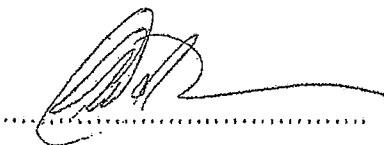
---

CERTIFICATE OF EXHIBIT TO THE FIRST AFFIDAVIT OF HUGH  
DICKSON

---

I hereby certify that these are the documents referred to in the First Affidavit of Hugh  
Dickson marked "ED-1" and sworn on the 10<sup>th</sup> day of June 2010.

Before me:



Notary Public

MADHAVI MATHURA  
NOTARY PUBLIC  
CAYMAN ISLANDS



## Hugh Dickson

CA (Member of the Scottish Chartered Accountants)  
 Qualified Insolvency Practitioner (JIEB)  
 MA (Economics & Accountancy), Edinburgh University



### RECOVERY and REORGANISATION PARTNER

Hugh has been a Recovery & Reorganisation partner with Grant Thornton since 2006. He has 25 years experience in restructuring, insolvency, and the financial sector. His experience includes roles for the IMF, World Bank, and EU, as well as advising 8 governments on restructuring, insolvency, financial sector intervention and related legislation. He currently specialises in offshore insolvencies, with a focus on financial sector insolvencies and frauds.

#### Current Sector Experience

- Liquidator of a number of investment companies and banks involved in a multi billion dollar group collapse, with allegations of a \$9 billion dollar fraud and misappropriation of assets. The case involves complex issues of cross border investigation and asset tracing/recovery across 10 countries, as well as the coordination of legal and insolvency proceedings in multiple jurisdictions.
- Liquidator of a Cayman entity involved in a multi jurisdiction Ponzi scheme involving the Caymans, St Vincent, Bahamas and Canada. Case involves over \$115 million throughput in the last 7 years. Hugh's team are pursuing asset tracing, recovery actions for fraudulent and unfair preferences, breach of fiduciary duty against directors and officers, and possible damages actions against the entity's bankers, who administered the funds of a number of entities engaged in the misappropriation of assets. The team are also assisting the RCMP in their investigations.
- Liquidator of two British Virgin Islands based entities at the centre of a Ponzi scheme, defrauding an estimated 10,000 European and Asian retail investors. The fraud then used the retail investors' monies to obtain substantial amounts of leverage from major

investment banks, with total losses estimated at over \$600m.

- Liquidator of a Cayman entity indirectly invested in the Madoff funds, with consequent issues involving attempted claw back claims by the US SIPC trustee.
- Liquidator of several BVI based hedge funds heavily invested in the US "Pettors" fraud. Investigating value of investments, and options for asset recoveries, securing assets in intermediate funds and potential causes of action.
- Liquidator of a Cayman hedge fund with a claimed NAV of over \$500m shortly prior to its collapse. Alleged breaches of investment guidelines, preferences in paying redemptions and the realisation of illiquid assets are features of the case. The liquidators are also investigating allegations of fraudulent assets being used to disguise trading losses, and the potential for litigation against directors and service providers..

#### Banking advisory experience

- Advisor to a national Caribbean full service bank undergoing liquidity and operational challenges. Provided advice on the major issues affecting the bank, the risks of regulatory intervention and necessary changes to its financing and operational approach.
- Working directly for a major Turkish banking group, assisted the group to reach a settlement with the Banking Restructuring Authority over \$5bn in debt and their shareholding in the third and fifth largest banks in Turkey; resolution of which avoided an intervention by the authority and was a structural benchmark for the IMF program.
- Advisor to a major South Korean bank on the creation of a work out department, and the recovery and

- realisation of its non performing asset portfolio, including exposures in excess of \$1 billion.
- Advisor to Romania's second largest bank on the development of in house operational manuals and procedures for the credit function.
- Review of major UK bank's structured finance book, with particular emphasis on risk management and asset recovery.
- Ran training program for banking intervention for the Thai Central Bank.
- Technical advisor to the Government of Malaysia on the design and implementation of Danaharta, their vehicle for bank restructuring. Over 51% of non-performing loans (\$2.8B) were secured by property collateral ranging from raw land to retail developments, making a real estate strategy central to Danaharta's success.

### **Financial Sector Intervention & Regulatory Assignments**

- Led the team that set up the Thai Financial Sector Restructuring Authority, responsible for the Thai government's intervention into the financial sector during the Asian financial crisis. Hugh's team helped determine which fincos to intervene, designed and controlled the no notice simultaneous intervention into 56 institutions seizing over \$20 billion in assets, and subsequently manage the asset realisation to defray the costs of the intervention and creditors settlement process.
- Technical advisor to the IMF on intervention and subsequent non-performing loan resolution process in Turkey during the 2001 banking crisis. Working directly for the IMF assisted both the Turkish governments Bank Restructuring Authority (regulatory and intervention body) and the Savings Deposit Insurance Fund (asset realisation/intervention cost mitigation)
- Advisor to the Korean Financial Services Commission during the Korean banking crisis, advising initially on banking intervention and latterly on designing a banking bail out system (through bad asset acquisition) that would encourage banks to clean up their balance sheets and allow recapitalisation whilst cushioning loss recognition.
- Headed projects for the Central Bank of Egypt to establish a Banking Supervision Department and provisions on advice on Foreign Reserves Management
- Headed team assisting the Indonesian Bank Restructuring Authority with their asset management and realisation of in excess of \$40 billion of intervened banking assets, including banking mergers as well as straight realisation.

### **Contact details**

7 Dr. Roy's Drive  
P.O. Box 1370  
Grand Cayman KY1-1108  
Cayman Islands

T: +345 949 7100  
M: +345 916 8872  
E: hugh.dickson@gtuk.com



Grant Thornton

## Steve Akers



### Partner - Recovery & Reorganisation

Steve is a senior partner in Grant Thornton's Recovery and Reorganisation department having joined the firm in September 2002. Before joining the firm he had been a Reorganisation Services partner in Deloitte & Touche for 13 years, where he headed up the Large Complex Insolvency team.

He is a widely experienced insolvency practitioner with particular expertise in complex multi-jurisdictional insolvency and litigious matters. Since he became a partner in 1987, Steve has led many assignments investigating the viability of large corporate entities on behalf of UK regulators and banks. Where the future viability of the corporate entity could not be achieved by way of a restructuring or refinancing, he has acted as Receiver, Administrator or Liquidator of the insolvent corporate. Most of these large corporate entities have had significant operations that needed to be dealt with in other countries, such as the United States, France, Germany, Italy, Spain, Luxembourg, Switzerland, Australia and Hong Kong.

Steve is perhaps best known for his role as one of the English Liquidators of Bank of Credit and Commerce International, the largest ever bank insolvency at that time. One of Steve's primary roles in this case was to lead a number of the teams pursuing asset recovery through litigation and sensitive negotiations. This involved him in managing and directing teams of lawyers, insolvency, and forensic staff

working across many different jurisdictions, including the United States, United Kingdom, Jersey, Cayman Islands, British Virgin Islands, Saudi Arabia, India, Pakistan, Hong Kong, Canada and UAE. This work led to recoveries of several billion dollars.

From October 1998 to December 1999, he acted as project team leader on two consecutive World Bank funded contracts in South Korea setting up and advising workout units in Hanvit Bank and Chohung Bank following economic crises there. The projects involved working closely with the Financial Supervisory Commission, the government regulator, as well as bank senior management to educate, train, and implement an approach to handling problem loans.

Other major cases Steve has been involved with include acting as Joint Provisional Liquidator of Drake Insurance, the last major UK motor insurer failure and advising the FSA with regard to the solvency of Equitable Life.

More recently Steve was appointed by the Cayman Court as Liquidator of a \$1bn hedge fund, Basis Yield Alpha (Master), with mainly Australian investors and as Administrator of companies in the Forsyth Partners Group, an investment management business with 39 funds and \$1.2bn under management. Three of these appointments are the first ever made in Dubai.

In December 2008 Steve was appointed as Provisional Liquidator of Madoff Securities International Limited, the UK company

involved in the largest known fraud, a \$50bn "Ponzi" scheme.

Steve is currently acting as adviser to the Resolution Committee appointed to take control of Kaupthing Bank in Iceland.

#### **Sector Specialisms**

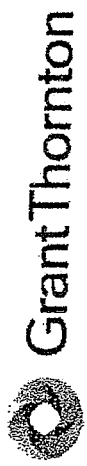
- Banking
- Financial Services
- Leisure
- Manufacturing
- Airlines

#### **Career Outline**

- 2002 Joined Grant Thornton.
- 1987 Became partner in Deloitte & Touche Reorganisations Service and became licensed as an Insolvency Practitioner by ICAEW
- 1981 Commenced working as an insolvency practitioner.
- 1980 Qualified as a chartered accountant
- 1976 Joined Deloitte & Touche audit department

#### **Qualifications**

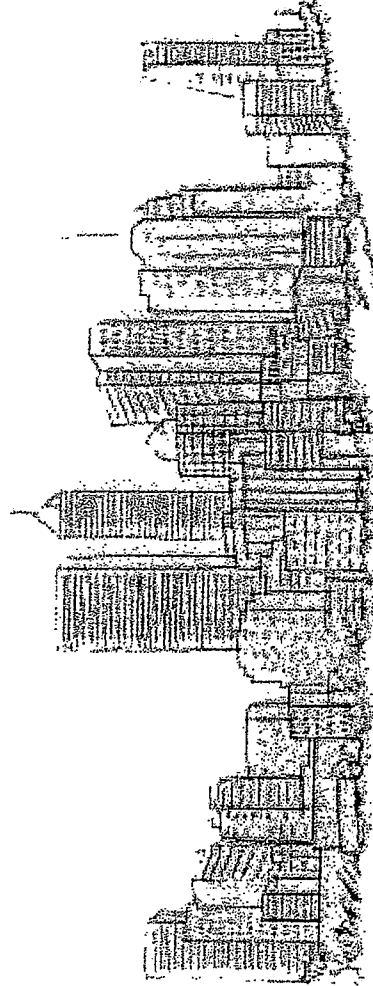
- ACA (Member of the Institute of Chartered Accountants in England and Wales).
- BSc in Mathematics
- Licensed by the Institute of Chartered Accountants in England and Wales as an insolvency practitioner
- FABRP - Member of the Association of Business Recovery Professionals



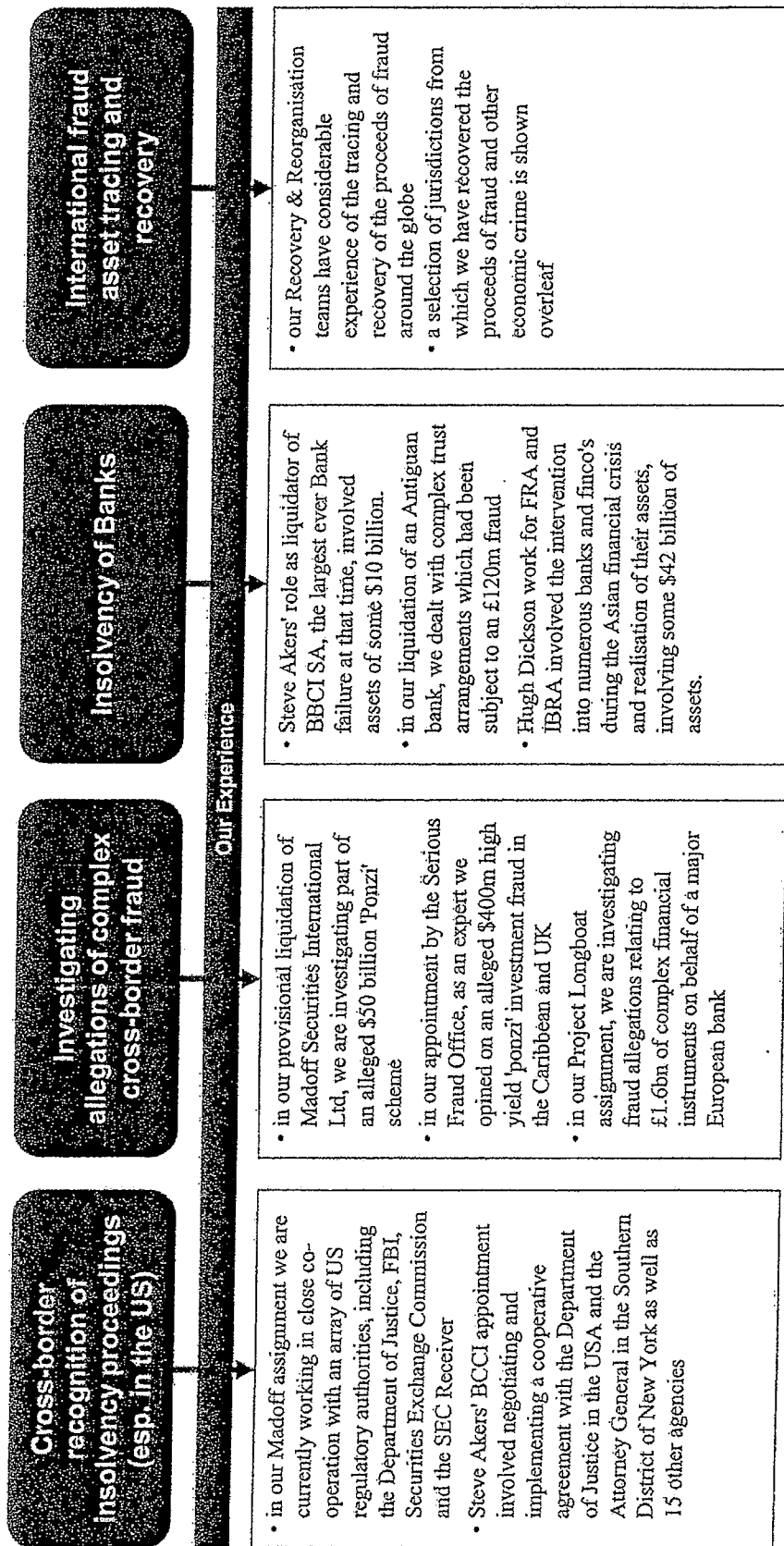
Grant Thornton

Exhibit 1: Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

---



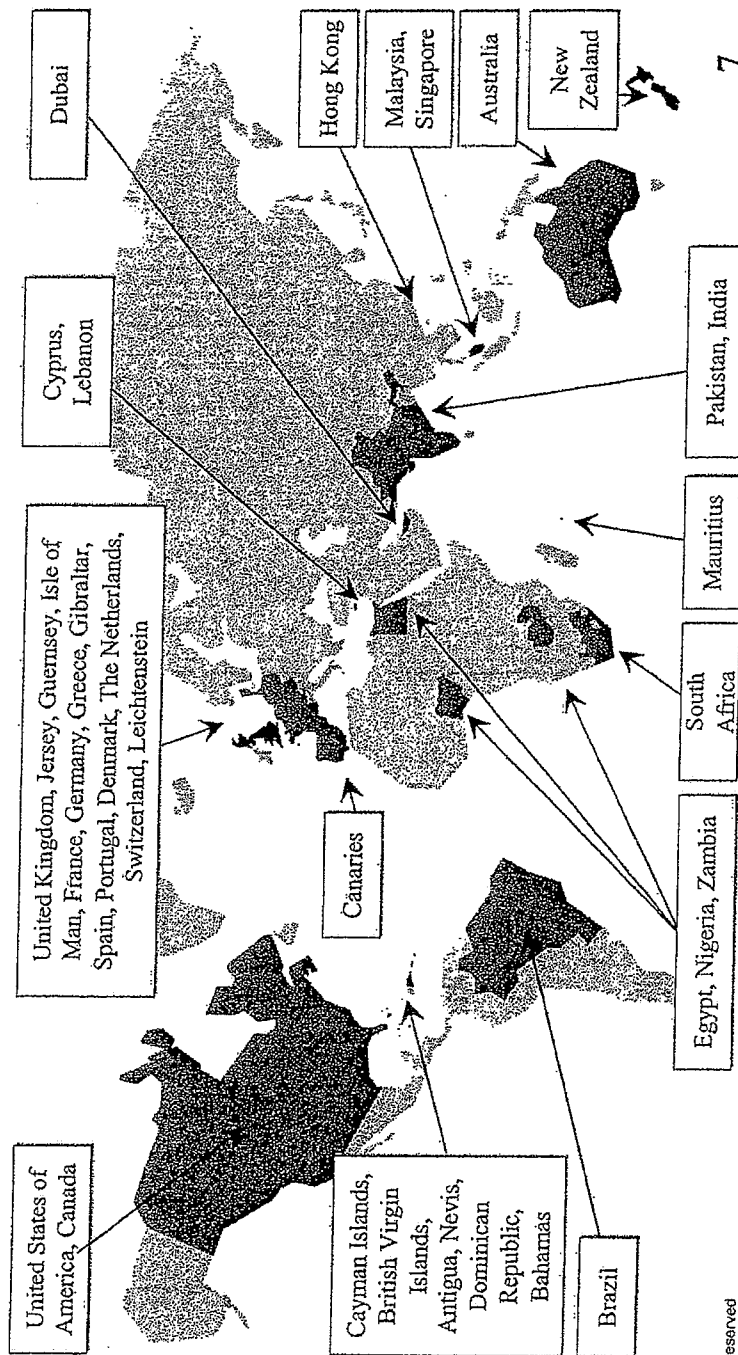
# Key capabilities to this assignment



Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

# International fraud asset tracing and recovery

We have recovered the proceeds of fraud and other economic crime from the following countries:



# About Grant Thornton

## Grant Thornton International

- The Grant Thornton International worldwide network has revenues in excess of USD\$2.7bn and representation in over 112 countries across 519 locations employing 21,500 people.
- Although Grant Thornton International is not a worldwide partnership, the firms share a commitment to providing the same high quality service to their clients wherever they do business.

## Grant Thornton UK LLP

- Grant Thornton UK LLP is the UK member firm of Grant Thornton International.
- Grant Thornton UK LLP has a turnover of £378m and over 250 partners and 4,000 staff operating from 29 locations in the UK, Cayman and British Virgin Islands.
- It is currently the fifth largest accountancy services firm in the UK in terms of revenues.

## Recovery & Reorganisation

- Grant Thornton UK LLP Recovery & Reorganisation has 37 partners and 19 directors, and over 620 staff in 19 locations in the UK, Cayman and British Virgin Islands.
- The complex insolvencies and offshore restructuring team, led by Steve Akers and Hugh Dickson, have a particular expertise in the restructuring and enforcement of complex corporate entities and offshore investment vehicles, particularly those domiciled in the Caribbean.

- The Grant Thornton Cayman and BVI operations are run in close coordination with the Grant Thornton UK insolvency team.
- A common ownership and management structure facilitates seamless access to UK staffing and resource. This common ownership is a unique structure to Grant Thornton.

## Forensic & Investigation Services

- Grant Thornton UK LLP's Forensic & Investigation Services team assists business, their legal advisers and regulators on dispute resolution, regulatory investigations, fraud and asset tracing and money laundering investigation.
- The team has 8 Partners, 8 Directors and over 100 professional staff based across the UK and have particular expertise in the financial services sector and are regularly instructed on assignments involving financial institutions where there are complex issues, often involving multi-jurisdictional consequences.
- Hossein Hamedani leads its work in the financial services sector. Experience includes acting as inspector under Jersey Financial Services Law to investigate the split capital market issues, acting as expert or adviser in assignments including Barings Singapore, Lloyds' of London, BCCI, Maxwell Pension Funds.

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

# Experience: Madoff Securities International Limited

<b>Madoff Securities International Limited</b>	
\$50bn Investment Fund 'Ponzi' Scheme	2008 - Ongoing
Partners of Grant Thornton UK LLP are acting as provisional liquidators	

- In December 2008, Steve Akers, Mark Byers and Andrew Hosking of Grant Thornton UK LLP were appointed Provisional Liquidators of Madoff Securities International Ltd.
- This action, on the petition of the companies directors and with the blessing of the UK FSA, followed the arrest of Bernard Madoff, the former chairman of the NASDAQ stock market, on allegations that his hedge fund was a "Ponzi scheme" and had allegedly racked up \$50 billion (£33.5 billion) of fraudulent losses.
- Our role as provisional liquidators of the company is to identify and preserve assets and undertake an investigation into its business affairs in co-operation with the Department of Justice, FBI, SIPC Trustee and SEC Receiver agencies in the US and Serious Fraud Office in the UK.
- we had to step in to help the US SIPA Trustee set up a working relationship with the US Attorney's Office in the Southern District of New York, where the relationship had broken down because two of the insolvency estates (in the USA and UK) were potentially competing for assets. We instigated a resolution of that difference by putting a cooperation and information sharing protocol in place and we further assisted the US Trustee to obtain recognition in the UK.
- An SEC Receiver was appointed in the USA and he sought to take control of the UK entity. He was persuaded by us, on our appointment, that his powers did not extend beyond the US and that though proper cooperation between jurisdictions we worked with him to keep him informed of the winding up of the UK entity until his role was replaced by the appointment of a US Trustee.
- As a result, we agreed a way in which assets would be realised and information shared between the two estates as well as the way in which they can cooperate to bring claims against third parties for the benefit of creditors.
- Large amounts of electronic and hard copy data have been secured and is now being reviewed to assist the US and UK authorities with their enquiries under the supervision of the Courts in the UK.


## Experience: Antigua offshore bank

<b>Antigua offshore bank</b>	
Antigua offshore bank	
£120m+ fraud	1998
Partners of Grant Thornton appointed as liquidators	

- The company was an Antigua offshore bank with complex trust arrangements. The bank had been subject to an £120m fraud prior to us being appointed as liquidators by the court.
- We traced and recovered:
  - A US\$20m yacht
  - Properties in Italy and the UK
  - Cash and stocks in Switzerland and Jersey
- In this case computer hard disk imaging and reconstruction of records were essential in tracing assets.
- Our international experience was also invaluable when dealing with the Antigua Government, Swiss prosecutor and Jersey trusts.
- Currently in excess of £25m has been recovered, legal action remains ongoing and the lead perpetrator has been imprisoned and bankrupted.

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

# Experience: BCCI

 <p><b>BCCI</b></p>	<p>£10bn Retail Bank Failure</p> <p>1990s</p>
<p>Partners of Grant Thornton UK LLP provided advisory services</p>	

Steve Akers acted as one of the English Liquidators of Bank of Credit and Commerce International, the largest ever bank insolvency at that time. One of Steve's primary roles in this case was to lead a number of the teams pursuing asset recovery through litigation and sensitive negotiations. This involved him in managing and directing teams of lawyers, insolvency, and forensic staff working across many different jurisdictions, including the United States, United Kingdom, Jersey, Cayman Islands, British Virgin Islands, Saudi Arabia, India, Pakistan, Hong Kong, Canada and UAE. This work led to recoveries of several billion dollars.

The BCCI appointment involved negotiating and implementing a cooperative agreement with the Department of Justice in the USA and the Attorney General in the Southern District of New York as well as 15 other agencies.

As part of this case, we provided extensive assistance to the Serious Fraud Office, the FBI, the District Attorney of New York and the Department of Justice which led to a number of successful prosecutions and further realisations for victims as a consequence of those prosecutions.

- Separately, Hossein Hamedani advised the government of Abu Dhabi in relation to collapse of BCCI pursuant to allegations of fraud including advice on:
  - regulatory enquiries by the US Government, the Federal Reserve and the UK Government;
  - investigation of losses incurred and defence of shareholder as a victim rather than perpetrator of frauds
  - tracing of losses incurred by the Abu Dhabi Government for the purposes of identification and recovery of any remaining assets, giving evidence in the criminal trial of the perpetrators and demonstrating the position of the majority shareholder as the victim.
  - preparation of claim against advisors, customers, and perpetrators of fraud
  - defence of contribution claims against the Abu Dhabi Government

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

# Experience: Saad Investments Company Limited

<b>Saad Investments Company Limited</b>	Alleged \$10bn Investment Fraud
	2009 - Ongoing
Partners of Grant Thornton UK LLP are acting as liquidators	

- On 5 August 2009, Steve Akers, Hugh Dickson and Mark Byers of Grant Thornton UK LLP were appointed as Joint Provisional Liquidators of Saad Investments Company Limited ("SICL") by the Grand Court of the Cayman Islands on the petition the members of a syndicate of 27 banks.
- The provisional liquidation was then 'converted' to an official liquidation on the 18 September 2009 by the Court.
- SICIL functioned both as a holding company for the wider Saad Group in the Cayman Islands and as a private investment company holding some of the offshore assets of Mr. Al Sanea (who was ranked number 62 in the Forbes' 2009 World Billionaires list).
- Mr. Al Sanea and the Saad Group are accused by fellow Saudi family conglomerate Ahmad Hamad Al Gosaibi and Brothers ("AHAB") that during his time as head of AHAB's financial services arm, the Money Exchange, he falsified documents and committed fraud by diverting billions in AHAB funds to his own Saad companies.
- Our role as liquidators of SICL is to identify and preserve assets and undertake an investigation into its business affairs for the benefit of its creditors.
- Our efforts to date have focussed on gaining recognition for our appointment in various 'challenging' offshore jurisdictions. To date we have identified assets in excess of \$2bn and are taking steps (where possible) to secure and realise those assets through further liquidation appointments. An example of this approach has been our appointment as liquidators of Singularis Holdings Limited, a Cayman Islands investment vehicle which allegedly held c.2.7% of the issued share capital of HSBC, worth c.£2.5bn (at the time of writing).
- Cross border recognition proceedings taken in the UK, Jersey, Switzerland, Bermuda, and the Bahamas.

# Experience: DD Growth Premium Master Fund

<b>DD Growth Premium Master Fund</b>
Alleged \$550m Hedge Fund Fraud
2009 - Ongoing
Partners of Grant Thornton UK LLP are acting as liquidators

- In April 2009, Hugh Dickson and Steve Akers were appointed to DD Growth Premium Master Fund ("the fund"), a \$550m hedge fund operated by Dynamic Decisions Capital Management, amid concerns over an apparent collapse in asset value and failure to meet \$400m in redemption requests.
- The fund was incorporated in the Cayman Islands but its investment manager Dynamic Decisions Capital Management, an English incorporated entity was authorised by the UK Financial Services Authority, handled all its operations.
- The declared investment objective of the fund was to seek to achieve absolute returns for investors by adopting a highly liquid strategy of investing in long/short pairs in US and European equities with the focus on large capitalisation entities. The unaudited NAV of the master fund on December 31, 2008 indicated a value of \$550 million. Allegations were made in respect of the true remaining asset value and the nature of the assets held as the master fund was unable to pay a number of large redemption requests.
- On the 12th November 2009 the UK's Serious Fraud Office (SFO) launched a criminal investigation into the actions of Dynamic Decisions Capital Management Ltd.
- The liquidators are working with the SFO and continue their investigations into the financial position and affairs of the fund.
- This assignment is ongoing

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

# Experience: K1 Invest Ltd & K1 Global Ltd

<b>K1 Invest Ltd &amp; K1 Global Ltd</b>	
Alleged \$600m plus Hedge Fund Fraud	2009 - Ongoing
Partners of Grant Thornton UK LLP are acting as liquidators	

- In November 2009, Hugh Dickson and Mark McDonald of Grant Thornton UK LLP were appointed as liquidators of British Virgin Islands domiciled K1 Invest Ltd and K1 Global Ltd ("the funds") by the shareholder to the funds.
- The funds are alleged to be associated with the K1 Group, a Germany based hedge fund manager. K1 Group was thrust into the spotlight in October 2009 as allegations emerged that it had allegedly embezzled hundreds of millions of dollars from a number of global investment banks and over 10,000 retail investors, many based in Germany. Retail investors funds were then leveraged using derivative instruments. The exact losses are unknown as the banks have never disclosed their total losses on the derivatives, but are at least US\$600 million and may be as high as \$1.8 billion.
- The liquidators are working with German authorities and have commenced investigations into the financial position and affairs of the funds. The guiding mind of the scheme is in custody.
- This assignment is ongoing

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

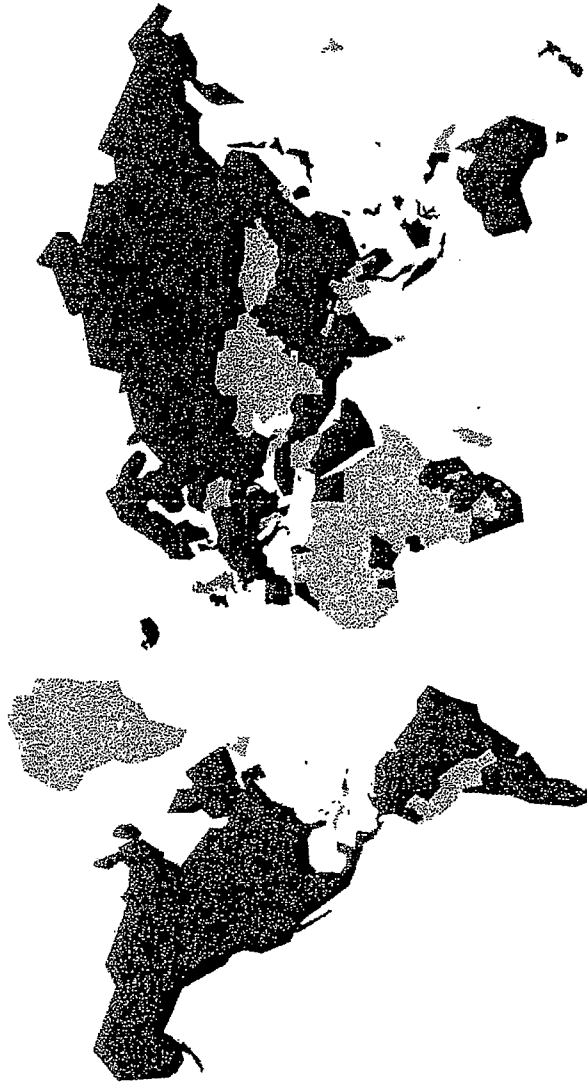
# Experience: Project Longboat

<b>Project Longboat</b>	
Investment Fraud & Diversion of Assets	2008 - Ongoing
Partners of Grant Thornton UK LLP are acting as provisional liquidators	

- In December 2008, Steve Akers and Hossein Hamedani were appointed by a major European bank to assist on judicial review of action by the UK Government, investigate their largest exposure, offshore structures, potential fraud, appointment of receivers to recover assets and litigation for recovery of the securities and debt due.
- This has involved the Bank's largest exposure of £1.6bn with extensive forensic analysis required for recovery actions could be identified.
- Subsequent insolvency appointments have followed in order to secure assets and protect underlying assets.
- This assignment is ongoing.

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

## About Grant Thornton

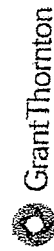


### Grant Thornton International Ltd

- Member and correspondent firms in over 100 countries
- 500 member firm offices worldwide
- Member firms provide access to over 25,000 employees and 2,400 partners
- Combined member firm revenues of US\$3.5 billion

### Grant Thornton UK LLP

- Eight large accounting firms in the UK
- Member firm within Grant Thornton International Ltd
- Established in 1999
- 30 locations in the UK
- Services 25,000 individuals and 15,000 corporates
- Comprises 238 partners and over 5,000 staff
- Annual revenue of £378 million
- Led by New York based 4000
- Top 100 Graduate employer Times Survey 2009



© 2010 Grant Thornton UK LLP. All rights reserved  
‘Grant Thornton’ means Grant Thornton UK LLP, a limited liability partnership.

Grant Thornton UK LLP is a member firm within Grant Thornton International Ltd (Grant Thornton International), Grant Thornton International and the member firms are not a worldwide partnership. Services are delivered by the member firms independently.

This proposal is made by Grant Thornton UK LLP and is in all respects subject to the negotiation, agreement and signing of a specific contract/order of engagement.

The client names quoted within this proposal are disclosed on a confidential basis. All information in this proposal is released strictly for the purpose of this process and must not be disclosed to any other parties without express consent from Grant Thornton UK LLP.  
[www.grant-thornton.co.uk](http://www.grant-thornton.co.uk)

**TAB 3**

1. Applicant
2. Marcus A. Wide
3. 2<sup>nd</sup> Affidavit
4. Sworn: 15 April, 2011
5. Filed: | | April, 2011
6. Exhibit "MAW-5"

THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA

Claim No. ANUHCV 2009/0149

In the Matter of Stanford International Bank Limited (In Liquidation)

-and-

In the Matter of the International Business Corporations Act, Cap 222 of the  
Laws of Antigua and Barbuda

-and-

In the Matter of an Application for the Removal of the Liquidators

---

SECOND AFFIDAVIT OF MARCUS A. WIDE

---

I, **MARCUS A. WIDE**, Managing Director of Grant Thornton (British Virgin Islands) Ltd, 171 Main Street, The Barracks, 2<sup>nd</sup> Floor, PO Box 4259, Road Town, Tortola, British Virgin Islands, VG 1110, duly sworn, **MAKE OATH** and **SAY** as follows:

**A. The Deponent.**

1. I am the Managing Director of Grant Thornton (British Virgin Islands) Ltd ("Grant Thornton"). I have practised as a full-time, qualified insolvency practitioner since 1974.

2. The contents of this Affidavit are based upon my personal knowledge save to the extent that they are based upon information and belief and where so stated I set out the source of my information and I verily believe the same to be true.
- B. **Update to this Court with Respect to my Candidacy as a Prospective Replacement Liquidator.**
3. As this Honourable Court is aware, by Order dated 8<sup>th</sup> June 2010 granting the application of Alexander M. Fundora (the "Removal Order") directing the removal of Messrs Nigel Hamilton-Smith and Peter Wastell (the "Outgoing JLs") as Joint Liquidators of Stanford International Bank Limited (in liquidation) ("SIB"), this Court directed Mr. Fundora to re-submit my name and at least two other alternative candidate replacement Liquidators who are suitably qualified and experienced insolvency practitioners, and from which this Court intends to select a new Liquidator (or set of joint liquidators).
4. I refer to my First Affidavit sworn to in these proceedings and dated 10<sup>th</sup> June, 2010. At the time of swearing of my First Affidavit, I was a Senior Vice President of Financial Advisory Services of PricewaterhouseCoopers Inc. ("PwC").
5. Intervening events have taken place such that I must update the factual position regarding my candidacy for consideration by this Honourable Court.
6. Since 30<sup>th</sup> June 2010, I have been an independent consultant, and PwC has been a client. On 31 March 2011, I terminated my contract with PwC, and accepted an offer of full time employment with Grant Thornton as Managing Director of Grant Thornton (British Virgin Islands) Ltd. I am also in the midst of relocating

my residence and principal place of work from Halifax, Nova Scotia to Tortola, BVI. I expect to be a full-time resident of the BVI by May 2011.

7. I confirm my consent and willingness to be appointed to the office of joint liquidator of SIB with Hugh Dickson of Grant Thornton Special Services (Cayman) Limited ("Mr. Dickson"). PwC have waived any conflict that might arise from my previous work with them.

**C. The Purpose of this Affidavit.**

8. The purpose of this Affidavit is to amend and update the facts and circumstances supporting my candidacy as a replacement liquidator of SIB. For the convenience of this Court, this is intended to be a stand-alone document such that it is unnecessary for the Court to examine my First Affidavit.

**D. The Deponent's Professional Training and Experience.**

9. I am a Chartered Accountant and a Trustee in Bankruptcy under the Canadian *Bankruptcy and Insolvency Act* pursuant to which both corporate and individual insolvency and restructuring are conducted. I am a Certified Insolvency and Restructuring Practitioner and a member of the Insolvency Institute of Canada. I have practiced in the insolvency and related forensic accounting fields full time for 36 years.
10. Now produced, shown to me and marked Exhibit "MAW-5" is a paginated bundle of copies of documents which I rely upon in support of my Affidavit. At pages 1-11 of "MAW-5" is a copy of my current *Curriculum Vitae* for perusal by this Honourable Court. My work experience specifically appropriate to qualify me to act as liquidator of SIB is highlighted herein.

11. Since 1999 my professional activities have been almost exclusively engaged in the offshore financial sector across the Eastern Caribbean. I have conducted the examination and liquidation of approximately 33 offshore banks and other financial enterprises including substantial forensic work in the tracing and recovery of assets.
12. I have served the Eastern Caribbean Supreme Court as a Liquidator, Provisional Liquidator, and Receiver on a number of occasions and I have acted as a Controller of various offshore banks under Ministerial appointment. At pages 12-14 of "MAW-5" is a copy of a representative list of Eastern Caribbean jurisdictions and my appointments therein where I served as a Liquidator and officer of the Eastern Caribbean Supreme Court.
13. I have experience in recovering assets from in excess of 30 jurisdictions in Europe, Africa, Asia and the Americas and with specific relevance to this matter I have recovered assets from Switzerland, the United Kingdom, the United States, Canada and Latin America.
14. I have been recognized as a foreign representative under (a) Chapter 15 of the US Bankruptcy Code (and its predecessor Section 304) and (b) Part XIII of the Canadian *Bankruptcy and Insolvency Act*. I have also used the UNCITRAL Model Law on Trans-Border Insolvencies in jurisdictions that subscribe to that process in order to seek the recognition of my powers across national boundaries and to administer multijurisdictional insolvencies. I have initiated local bankruptcy proceedings in Switzerland and Austria in order to recover assets located in those jurisdictions, and have obtained recognition and established necessary protocols in Latin America where no supporting legislation or protocol previously existed.

15. I have experience in cases where office holders have been appointed in different jurisdictions, apparently competing for the same asset pool (and specifically US receivers appointed at the behest of the Securities and Exchange Commission and UK liquidators), and have completed those assignments in both cooperative and litigious environments. I note that this experience is particularly relevant in the instant case given the apparently contentious litigation in Canada, the US, Switzerland, Antigua, and the UK – such as that which took place in 2009 and 2010 between the Outgoing JLS of SIB in Antigua and SEC Receiver Ralph Janvey; and which appears to continue to this day with the US Department of Justice.
16. My engagements have included the investigation and unravelling of massive Ponzi schemes with international scope. I have given *viva voce* evidence in numerous civil asset tracing proceedings and have testified in related criminal proceedings having appeared in courts in the United States, the United Kingdom, Austria, Canada, Netherlands Antilles, Latin America and throughout the Eastern Caribbean.
17. I have led teams that include experts in computer forensics and forensic investigations, and certified fraud examiners, in many cross-border insolvency assignments and specifically substantial bank related forensic engagements in the Caribbean and Latin America, and together we have managed global claims administration processes for the benefit of thousands of creditors.
18. If additional expertise and resources are required to meet the professional demands of the SIB liquidation, these can be obtained from other member firms of Grant Thornton International. As a result, I am able to marshal the necessary

and appropriate resources (from both a cost and expertise perspective) to conduct the administration of the SIB estate with my colleague and proposed co-liquidator, Hugh Dickson of Grant Thornton (Cayman).

**E. The Circumstances Facing the SIB Estate.**

19. I am familiar with a number of the issues that confront the proper administration and marshalling of assets and value, for the benefit of creditors of the SIB estate. The estate is, it would appear, in urgent need of the appointment of new office holders who are suitably qualified and experienced to take charge of a complex multi-jurisdictional and multi-faceted insolvency matter.

20. I understand that the efforts to recover and to realise value from the principal assets of SIB that have been identified to date will require the immediate attention of the new office holders to be appointed by this Court – and that these assets include the following:

(a) **London, England:** I am informed by Mr. Fundora's lawyers, the public record and media reports, that approximately US\$110 million of liquid assets of SIB held by certain financial institutions are said to be frozen and are under contention in London. I understand that the US Department of Justice (the "DOJ"), with the assistance of the Government of the United Kingdom's Serious Fraud Office ("SFO"), has sought to forfeit these funds for onward transmission as the proceeds of crime to the United States and for distribution by the Attorney General of the United States pursuant to US Federal Law. I understand that should the efforts of DOJ/SFO be successful in this regard, a number of the ordinary creditors of SIB (some of whom are unlikely to fall under the US federal law definition of "victim" of the specific crimes charged by the US Grand Jury in the Stanford case) will

likely be deprived of a share of any distribution of these funds. I understand that the DOJ/SFO intend to urgently fix a date for the hearing of their application to have the funds ordered to be transmitted to the United States. The most recent information provided to me by Mr. Fundora's solicitors indicates that a substantive hearing of the DOJ/SFO before the Crown Court to seek an order of transmittal of these funds is likely to take place in early June 2011. This represents an exceptionally narrow time period for any new JLs to be able to sensibly prepare for the same. I understand this hearing is to take place notwithstanding the existence of an outstanding application for leave to appeal to the Supreme Court of the United Kingdom by the Outgoing JLs of SIB (Antigua) of an order of the Court of Appeal of England and Wales which would appear to give some manner of priority in the funds of SIB in London to the DOJ/SFO and over the Antiguan estate of SIB. There would therefore appear to be an urgent need for this now long outstanding application for leave to appeal to be considered with expedition, and, if advised to do so by Counsel, pursued by the new office holders of SIB. Moreover, the urgent Application of the DOJ/SFO to transmit SIB's London funds to the United States must be considered and, if counsel advises, an adjournment sought pending the outcome of the SIB estate's putative appeal to the Supreme Court.

- (b) **Switzerland:** I am informed by Mr. Fundora's solicitors that approximately CHF355 million of liquid assets remain frozen in Switzerland. It is my understand that the Regulator of Swiss Financial Institutions has determined that the Antiguan estate of SIB is the location of the COMI of the Bank; and that the funds frozen in Switzerland should therefore be turned over to the Antiguan estate of SIB for administration and distribution to creditors. However, I am also informed that the DOJ has issued a Mutual Legal Assistance Treaty ("MLAT") request to Switzerland to have these funds

forfeited as the proceeds of crime for onward transmission to the DOJ in the United States. (This is confirmed by a recent Report from SEC Receiver Ralph Janvey. See page 67, "MAW-5".) This would therefore appear to represent yet another substantial value collision between the interests of the SIB estate and the United States Government. It would appear that there exists an urgent need for the new office holders of SIB to seek legal advice and to develop and pursue an appropriate strategy for the recovery of these funds for the estate in Antigua.

(c) **Canada:** I am informed that approximately CAD20 million of funds of SIB were frozen at TD Bank (Toronto). Apparently, an order has been obtained by the Attorney General of Ontario for the transmittal of these funds to the DOJ in Washington DC in respect of an international asset forfeiture proceeding. These funds may well now be lost to the SIB estate. This matter is in urgent need of investigation.

(d) **Antigua:** I am informed by Mr. Fundora's solicitors that there exists the title to substantial lands in Antigua held beneficially by the SIB estate; but that the land titles of SIB in Antigua are substantially vested in a series of affiliated land title holding companies. The state of title to the relevant lands and of the links between the nominal corporate holders thereof and SIB must be investigated or determined by any new Liquidator. A plan of action and recovery almost certainly needs to be articulated and implemented with alacrity.

(e) **United States:** I am informed by Mr. Fundora's solicitors, the public record and media reports, that certain assets of SIB exist in the United States and Central America. The current status of these assets is in need of investigation.

(f) **Multiple Locations:** I am informed by Mr. Fundora's solicitors that a reported \$1 billion in loan proceeds advanced to Allen Stanford by SIB remain to be identified, traced and accounted for.

21. I appreciate that there are many other matters which would require the immediate attention of any new office holders who might be appointed by this Honourable Court to replace the Joint Liquidators who have been removed.
22. For instance, there exists an outstanding Petition under Chapter 15 of the US Bankruptcy Code brought by the current Joint Liquidators of SIB before the US Bankruptcy Court in Dallas, Texas. I am informed that the Outgoing JLs have not been in a position to pursue the hearing of their outstanding Petition for Recognition before such Court. It is important that any new office holder expeditiously seek advice and counsel on the merits of pursuing such a long outstanding Petition. If such Petition was to be successfully pursued on the basis that the Antigua estate of SIB represents the centre of main interests (the "COMI") of SIB – the assets and value that have been marshalled by SEC Receiver Ralph Janvey of Dallas, Texas, for the benefit of SIB in the United States would need to be turned over to the SIB estate in Antigua for administration here.

**F. Available Information from the Outgoing JLs.**

23. I understand from Mr. Fundora's solicitors that no schedule of receipts and disbursements has yet been filed with the Court with respect to the status of the affairs of the estate since the date of its inception. It is therefore difficult for me to comment on the precise nature of the value of assets that have been recovered to date and how those assets have been distributed or expended. However, I am

informed by Martin Kenney of Martin Kenney & Co Solicitors ("MKS") of the BVI, which acts for Mr Fundora, that MKS' enquiries indicate that a relatively modest sum, believed to be in the region of US\$1 million, was recovered by the Outgoing JLs and expended on the costs of the administration of the estate. No significant assets have therefore been recovered to date. On the other hand, the estate is reportedly facing liabilities in excess of US\$7 billion owing to what has also been reported to be an estimated 27,000 creditors.

24. At pages 15–31 of "MAW-5" are copies of the Reports to this Honourable Court of the Outgoing JLs which have been provided to me by Mr. Fundora's solicitors and which appear to be dated or filed with this Court on 14 July 2009, 9 October 2009 and 15 April 2010. At pages 32–44 of "MAW-5" is a copy of a Report to the Court of the Outgoing JLs dated 16 March 2009. This report was written at the time that they were acting as Joint Receiver-Managers of SIB.

25. I note the following observations from these Reports:

(a) No Schedules of Receipts and Disbursements are included with these reports for the SIB estate.

(b) At page 23 of "MAW-5" (or the ultimate page of their report filed with this Court on 14 July 2009), the Outgoing JLs indicate that some US\$3.4 million in professional fees were expended by them in the approximate two-month period of 19 February 2009 to 15 April 2009 when they acted, initially, as Joint Receiver-Managers of SIB.

(c) I understand that the Outgoing JLs have incurred substantial professional charges since the date of their appointment as joint Liquidators on 15 April

2009. Based on the JLs' Reports which have been provided to me, it is difficult to understand what the totality of these costs may be to date. However, by his Affidavit sworn 12 February 2010, one of the Outgoing JLs, Nigel Hamilton-Smith, indicated that the "burn rate" for the SIB estate for one eight-month period amounted to "*...roughly \$1.1m per month...compared to \$5.2m per month (over a seven-month period) for the US Receiver.*" (See page 46, "MAW-5".) The relevance of this is to give this Court some appreciation for the prospective funding requirements of the SIB estate. One frame of reference for doing so is to examine the historical profile of professional fees incurred to date.

(d) In their Report to this Court dated 15 April 2010, the Outgoing JLs report (at page 29 of "MAW-5") that they had received Proofs of Claim from some "*...7,511 investors totalling US\$2.8 billion and the adjudication of claims received and enquiries from investors are being processed on a daily basis.*"

(e) In the same 15 April 2010 Report, the Outgoing JLs provide a brief report (At page 29 of "MAW-5") on litigation involving the estate in the UK, Canada, Switzerland, and the United States.

(f) On the issue of funding, the Outgoing JLs, in the same 15 April 2010 Report, state that they had made an application to the UK Courts to seek the release of "*further monies from the funds held in the United Kingdom.*" These funds were said to be "*...essential to allow for the continued operation of the liquidation in Antigua as there will shortly be insufficient funds to continue to meet the ongoing operating costs.*" (See page 30, Exhibit "MAW-5".) I am informed by the solicitors for Mr. Fundora that the SIB estate has had to face a serious problem with the lack of funding since the inception of the estate; that it

would appear that the Outgoing JLs have not received payment of their fees or disbursements; and that this, combined with the Removal Order, has made it extremely difficult for the estate to operate and litigate effectively.

**G. SEC Receivership Proceedings.**

26. At pages 58 – 83 of “MAW-5” is a copy of SEC Receiver Ralph Janvey’s Second Interim Report regarding the status of the Receivership that he is administering in the United States, dated 11 February 2011. The existence of the SEC Receivership has created a source of conflict for the SIB estate of Antigua. At page 14 of this Report (see page 71 of “MAW-5”), the Receiver reports that between the date of inception of the Receivership in February 2009 through to 31 August 2010, he expended approximately \$60 million in fees, expenses (albeit approximately some \$13.2 million in professional fees and \$1.2 million in disbursements have been held back and not yet released to the Receiver and his team). The Report also shows that the SEC Receiver has been seeking to recover assets of the SIB estate in Panama, Ecuador, Peru, Mexico, Venezuela, and elsewhere. I am informed by the solicitors for Mr. Fundora that the Outgoing JLs have not sought to recover any of the assets of SIB located in these jurisdictions. I commend this recent report of SEC Receiver Janvey to this Honourable Court for its review and in order that the Court might have a more full understanding of the broad and complex conspectus that the SIB estate finds itself in. The long-outstanding Petition of the SIB estate for recognition under Chapter 15 of the US Bankruptcy Code before the US Bankruptcy Court in Dallas, Texas, will, if pursued, bring the SIB estate into direct confrontation, again, with SEC Receiver Janvey. An analysis of the costs and benefits of pursuing this Petition to a final resolution needs to be undertaken, as to above.

## H. Funding.

27. In the light of the complex litigation which SIB is a party to abroad and the need for immediate retention of Counsel by any new office holder to assess and advise the new office holders on what action ought to be taken to avoid any prejudice for the estate, it is clear that an appropriate level of funding needs to be raised and put into place for the estate to function and operate properly. Under s. 308(1)(f) of the Companies Act of Antigua, I understand that a liquidator of SIB has the power to borrow money and to pledge the assets of the estate as security therefor.
28. I am broadly familiar with the working capital needs of the SIB estate. I am informed by the solicitors for Mr. Fundora that efforts have been undertaken since the date of the Removal Order (8 June 2010) to identify sources of possible funding for the SIB estate, so that it might be placed onto a sound financial footing expeditiously; and to enable the replacement office holders to operate properly and within the present trans-national insolvency recognition and enforcement environment. In this regard, I have been in communication with Mr Jim Little of Baltimore, Maryland, who has sought to identify a source of funding for the estate to be put into place. I understand from Mr. Little that Sorrell Investments Limited, a Guernsey-domiciled company held by two investment funds, has a proposal which will provide the SIB estate with up to \$20 million of working capital. The terms on which this capital is to be made available is subject to negotiation with the replacement JLs and 60 days of due diligence by the lender. If final terms satisfactory to both the JL's and Sorrell Investments Limited are concluded approval will be sought from this Court. I concur with the notion that access to working capital for the estate of this order of magnitude appears to be necessary for the estate to conduct its business and

attempt to marshal very substantial value that exists in the name of SIB in Switzerland (CHF355 million), UK (US\$110 million) and elsewhere.

**I. Investigations – Asset Tracing and Accessory Civil Liability Claims.**

29. Within the context of any large-scale insolvency involving apparent malfeasance by management, a host of investigative, analytic, forensic accounting and legal issues must be contended with. It seems tolerably clear that the SIB estate falls within the category of matters requiring sustained investigative and analytical work by a team of experienced professionals.
30. In addition to traditional asset tracing, an effort needs to be undertaken to determine whether the SIB estate holds valuable contingent assets consisting of, in part, the right to seek damages or compensation from any third-party facilitators (such as banks, lawyers, or other professionals) of any breaches of fiduciary duty on the part of the directors of SIB.
31. Limitation periods must be considered. The SIB estate in liquidation commenced with the appointment of the outgoing JJs on 15 April 2009.

**J. Transition Issues.**

32. The Outgoing JJs have possession of SIB's books and records. I am informed that they also have access to records of their inquiries and work product of the past two years and two months of effort. They have been represented by CMS Cameron McKenna in London; Jones Day in Dallas, Texas; Ogilvy Renault in Montreal; and by other law firms, in respect to the litigation to which the estate of SIB either is or was a party. It is important that any new set of office holders

endeavour to find ways to work sensibly with the Outgoing JLs in the passing over of the said records and information, together with the present claims adjudication system and books of the estate. I am informed by Mr. Little that the prospective funder of the SIB estate is amenable to making funding available for the cost of the Outgoing JLs' professional time and that of their solicitors to help facilitate a hopefully smooth transition (subject, again, to the terms of funding being agreed upon and approved by this Court).

K. Consent to Act.

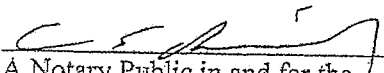
33. I hereby reconfirm my consent to act as a Joint Liquidator of SIB with Mr Dickson of Grant Thornton (Cayman).

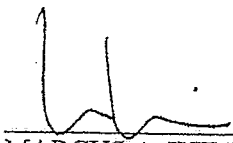
34. Now produced and shown to me marked Exhibit "MAW-5" is a copy of my Amended Consent of Person to Act as Joint Liquidator signed and dated on 15 April 2011.

35. I confirm my independence and impartiality to act in the office in question.

SWORN this 15<sup>th</sup> day of April )  
 2011 at Halifax, Nova Scotia )  
 Canada )

Before Me: )

  
 A Notary Public in and for the )  
 Province of Nova Scotia )

  
 \_\_\_\_\_  
 MARCUS A. WIDE

# TAB 4

1. Applicant
2. Hugh Dickson
3. 2nd Affidavit
4. Sworn: 15th April, 2011
5. Filed: [ ] April, 2011
6. Exhibit "HD-2"

**THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

Claim No. ANUHCV 2009/0149

In the Matter of Stanford International Bank Limited (In Liquidation)

-and-

In the Matter of the International Business Corporations Act, Cap 222 of the  
Laws of Antigua and Barbuda

-and-

In the Matter of an Application for the Removal of the Liquidators

---

**SECOND AFFIDAVIT OF HUGH DICKSON**

---

I, Hugh Dickson, Qualified Insolvency Practitioner, of Grant Thornton Specialist Services (Cayman) Limited, 7 Dr Roy's Drive, George Town, Cayman Islands duly sworn, **MAKE OATH** and **SAY** as follows:

**I. The Deponent.**

1. I am a partner with Grant Thornton UK LLP and the managing director of its wholly owned Cayman Islands' subsidiary, Grant Thornton Specialist Services

(Cayman) Limited. I also oversee Grant Thornton (British Virgin Islands) Limited, another wholly owned subsidiary of Grant Thornton UK LLP. Both operations are practices that exclusively perform restructuring and insolvency work, with a particular emphasis on offshore financial services industry related cases.

2. I make this affidavit on behalf of myself and my colleague from our Grant Thornton (British Virgin Islands) Limited practice, Mr Marcus A. Wide, who has authorised me to do so. Both I and Mr Wide are experienced and qualified insolvency practitioners.

## II. The Purpose of this Affidavit.

3. I understand that this Honourable Court made an Order on Tuesday, 8<sup>th</sup> June 2010 granting the Application of Alexander M. Fundora seeking the removal of Messrs. Nigel Hamilton-Smith and Peter Wastell as Joint Liquidators of Stanford International Bank Limited (In Liquidation) ("SIB"). It is my understanding that this Court had previously directed Mr. Fundora to re-submit the name of Marcus A. Wide and at least two other names of candidate and successor liquidators who are "suitably qualified and experienced insolvency practitioners"; and from which this Court intends to select a new liquidator(s).
4. In June 2010 I was contacted by the solicitors for Mr. Fundora who invited me to put my name forward, together with a colleague should I believe that a joint appointment was beneficial, as one of the candidates for the position as successor liquidator of the estate of SIB. In that regard I refer the Honourable Court to my First Affidavit, filed on 11 June 2010, in which I put forward my name and that of my colleague and fellow partner Mr Stephen John Akers of London, England.

5. Since the filing of that affidavit our practice has recruited Mr Marcus A. Wide to act as Managing Director of Grant Thornton (British Virgin Islands) Limited. Mr Wide had previously consented to act as Liquidator of the estate of SIB whilst working for his previous employer, PricewaterhouseCoopers (Halifax, Nova Scotia). Mr Wide is in the midst of re-locating from Halifax, Nova Scotia to Tortola, BVI. I believe it appropriate that Mr Wide replace Mr Akers as my joint nominee. I have therefore sworn my Second Affidavit to provide the Honourable Court with a revised affidavit and Amended Consents to Act that reflect the current position. For the convenience of the Honourable Court I have restated my experience within this affidavit.

### III. The Deponent's Professional Training and Experience.

6. I hold a joint Masters degree in Economics and Accounting, and I am a qualified chartered accountant with the Scottish Institute. I am qualified as an insolvency practitioner under the UK Joint Insolvency Examination Board provisions and as a Qualified Insolvency Practitioner under Cayman law and insolvency regulations. My career has included, in addition to insolvency work, working within the management of banks and in the banking regulatory field, in the latter case acting as a senior advisor to central banks and banking regulatory authorities around the world on issues of banking intervention, asset seizure and realisation. I am familiar with the practical and technical issues specific to banking, and am currently the liquidator of a Curacao regulated bank.
7. I currently hold office as an official liquidator on a number of cases under the purview of the BVI and Cayman Courts. My experience within both jurisdictions includes the recovery of assets for victims and creditors of high value frauds and Ponzi schemes, as well as large, complex and contentious cross

border cases involving asset tracing, recovery and litigation in multiple jurisdictions, including Switzerland, the UK, US and Canada, all relevant jurisdictions for this case. In that capacity I also have direct experience of dealing with onshore regulatory authorities and law enforcement agencies including the UK Financial Services Authority and Serious Fraud Office, and the Canadian Royal Canadian Mounted Police and the Autorité des Marchés Financiers of the Province of Quebec, Canada (who initiated my appointment on one such cross border fraud case).

8. Mr Wide has been appointed to head Grant Thornton's BVI insolvency practice. Mr Wide has considerable experience of working on insolvency cases in the Eastern Caribbean Circuit and elsewhere in the Caribbean, including major banking and financial services industry cases. His experience includes cases in Anguilla, Antigua, the Bahamas, Barbados, Bermuda, Dominica, the Dominican Republic, Grenada, Jamaica, St. Lucia, St Vincent, Trinidad and Turks and Caicos.
9. In the course of that work he has developed extensive contacts with regulators and enforcement authorities in the West Indies, the USA, the United Kingdom and elsewhere. He has pursued assets and claims in over 30 countries in North, South and Central Americas, Europe (both EU and non-EU countries), Africa, Asia and Australasia. He is familiar with the challenges posed by multi-jurisdictional assignments, including those involving fraud, and complexities of cross border recognition and working with insolvency practitioners or receivers in other jurisdictions.

**IV. Urgent Issues Apparently Facing the Estate - Consent to Act.**

10. At paragraph 11 of my First Affidavit filed in these proceedings, I said:-

- "11. Given my recent involvement I have not had time to fully acquaint myself with the details of the estate's current financial position. However a number of matters have been brought to my attention:
- a. As we understand it there is no definitive statement of unencumbered assets under the control of the liquidators available. Conversely the existing liquidators are likely to have incurred substantial expenses, including but not limited to their own fees and those of their legal agents;
  - b. Substantial proportions of the asset base may be subject to conflicting claims, and/or in jurisdictions where the former liquidators appointment and authority is either not yet recognised or contested;
  - c. Even where such authority has been recognised, it has not been confirmed whether that recognition will apply to the new liquidator(s);
  - d. Whilst we are advised that the estate holds substantial unencumbered real estate holdings in Antigua, there may be competing claims against these assets, the assets themselves may not be fully under the control of the present liquidators, and the assets are not immediately liquid. Whilst it may be possible to borrow funds for the liquidation's immediate needs utilising such assets as security, this has not as yet been resolved. We would assume that the terms of such borrowing would have to be agreed by this Honourable Court, and any monies lend may not be on a non recourse basis and require some undertaking or commitment by the liquidators personally; and
  - e. There are a number of legal actions already underway in which the estate is a plaintiff or defendant where costs, particularly those of legal counsel, will continue to accrue and where there may be limited flexibility to suspend proceedings without undue damage to the estate pending the new liquidators ensuring that the estate has adequate resources available to meet such costs on a timeous and comprehensive basis."

To update the position, I understand that the above description of the circumstances facing the SIB estate remains substantially the same save that

there are now a series of issues of urgency which will need the immediate attention of any new Liquidator of SIB involving ongoing, complex and high value asset recovery litigation to which the estate is a party over (i) US\$110 million of frozen liquid assets reportedly held in SIB's name in London, England, (ii) CHF355 million in frozen liquid assets reportedly in SIB's name in Switzerland and (iii) an outstanding yet long adjourned Chapter 15 US Bankruptcy Code Recognition Petition filed by the SIB estate before the US Bankruptcy Court in Dallas, Texas. The immediate need to marshal resources, review and consider the relevant issues with counsel, and to develop an appropriate strategy and plan of action for each of the multi-fold litigations facing the estate, is clear. This is in addition to the other challenges involved with the administration of an estate of a reported 27,000 creditors and \$7 billion in apparent liabilities. I am informed that the SIB estate has no funding available to it to conduct its affairs, at present. I have been informed by the solicitors of Mr. Fundora of efforts that have been undertaken since the rendering of the 10<sup>th</sup> June, 2010 Removal Order of Thomas J, to identify and obtain funding for the new liquidators of SIB, and that these efforts have produced a conditional commitment to provide what would appear to be adequate funding to enable the estate to function properly (subject to terms to be agreed upon by the new liquidators and to be approved by this Court, and subject to a 60 day period of due diligence by the prospective funders). I respectfully submit that funding represents a major issue facing the estate and that it requires the urgent attention of any new officeholder and of this Honourable Court.

11. I hereby consent to act as the new or successor liquidator of SIB, and can affirm that Mr Wide has confirmed to me his consent to act as my joint liquidator on a joint and several basis, should the Honourable Court be minded to so appoint us.

V. *Curriculum Vitae.*

12. Now produced, shown to me and marked HD-2 is a copy of our credentials and our experience for perusal by this Honourable Court. My current *Curriculum Vitae* is at pages 1 to 2 of HD-2. A copy of Mr Marcus Wide's current *Curriculum Vitae*, which he has confirmed to me represents an accurate and up to date reflection of his experience and qualifications, is at pages 3 to 4.
13. I can confirm that appropriate conflict of interest checks were initiated in June 2010. To date I have received no indication of a conflict of interest in response, nor do I have any knowledge of such a conflict emerging subsequent to that check being conducted, that would prevent myself or Mr Wide from acting.
14. Whilst I understand the Honourable Court has asked for the personal details of the proposed liquidators, an assignment of this size will necessitate considerable resources being applied by any appointed liquidator. I therefore wish to comment briefly on the resources that I and my fellow appointee, should the Honourable Court be minded to appoint us, can bring to bear.
15. The Grant Thornton Cayman and BVI operations are run in close coordination with the Grant Thornton UK LLP specialist insolvency operation. The common ownership and management structure facilitates seamless access to GTUK staffing and resource (some 13 partners, 19 directors and circa. 620 staff specialising in insolvency and restructuring cases) to supplement our resources already on site in the Caribbean. The scale of resource is sufficient to service even the largest or more specialist assignment, coupled with specialist knowledge of the offshore financial services industry, local insolvency laws and a familiarity with operating in the Caribbean. Our team includes partners with prior insolvency appointments in Antigua, as well as elsewhere within the

Eastern Caribbean Circuit, and staff with extensive experience in working on cross border insolvency appointments involving Caribbean entities. It also offers direct access to our specialist Forensic and Investigations team, who specialise in asset tracing and recovery, particularly in cases involving economic crime.

16. The common ownership and management structure, which I believe to be unique amongst the major insolvency firms operating in the region, also minimizes any commercial issues over work allocation and resource sharing that can affect other firms which use a common brand name but have separate local ownership. I consider my firm's structure invaluable in addressing an assignment of this scale, where the international reach and complexity clearly requires liquidators who have the resource capacity and access to specialist resources to tackle the challenges involved.
17. Pages 5 to 17 of HD-2 contain a short statement of the resources of Grant Thornton available for this case, should partners in our firm be appointed as the replacement liquidators, and a note of relevant credentials and experience held by members of the team that will work on the engagement.
18. The contents of this Affidavit are true to the best of my knowledge, information and belief.

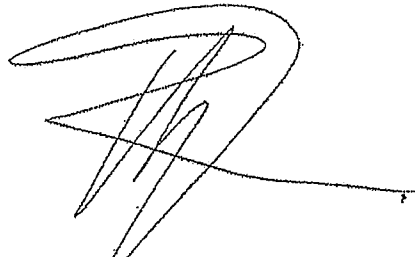
**VI. Hourly Rates.**

19. The standard hourly rates which would currently apply for the services of Mr. Wide and me as well as for members of our Cayman Islands and BVI practice staff are set out below. Our rates are subject to periodic revision, usually on our financial year end on 1 July, and exclude the costs of attorneys and other professional assistance, including services provided in other jurisdictions. We

would anticipate in any event our fees and charges being subject to the oversight and approval of a liquidation committee and this Honourable Court.

Grade	GT Cayman US\$	GT BVI US\$
Partner and Managing Director	675	625
Director	475-550	575
Senior Manager	425	-
Assistant manager - Manager	350 - 395	365
Seniors	260	250 - 300
Administrators and staff	125	150

SWORN this 15<sup>th</sup> day of April,  
2011 at Miami, United States )

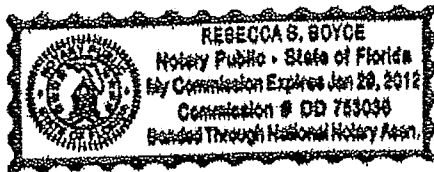


HUGH DICKSON

Before Me:



Notary Public



1. Applicant
2. Hugh Dickson
3. 2nd Affidavit
4. Sworn: 15<sup>th</sup> April, 2011
5. Filed [ ] April, 2011
6. Exhibit "HD-2"

**THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

Claim No. ANUHCY 2009/0149

In the Matter of Stanford International Bank Limited  
(In Liquidation)

-and-

In the Matter of the International Business  
Corporations Act, Cap 222 of the  
Laws of Antigua and Barbuda

-and-

In the Matter of an Application for the Removal of the  
Liquidators

---

**SECOND AFFIDAVIT OF Hugh Dickson**

---

Nicolette M. Doherty  
Legal Practitioner for the Applicant  
Attorney at Law and Notary Public  
PO Box W1661,  
Island House, Newgate Street  
St John's, Antigua, West Indies.  
Telephone: +1 (268) 462-4468/9  
Fax: +1 (268) 561-1056

THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA

Claim No. ANUHCV 2009/0149

In the Matter of Stanford International Bank Limited (In Liquidation)

-and-

In the Matter of the International Business Corporations Act, Cap 222 of the  
Laws of Antigua and Barbuda

-and-

In the Matter of an Application for the Removal of the Liquidators

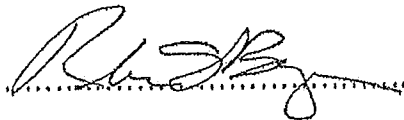
---

CERTIFICATE OF EXHIBIT TO THE SECOND AFFIDAVIT OF HUGH  
DICKSON

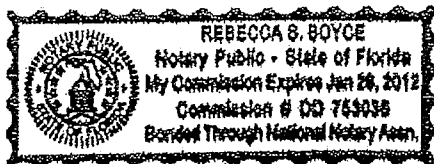
---

I hereby certify that these are the documents referred to in the Second Affidavit of  
Hugh Dickson marked "HD-2" and sworn on the 15<sup>th</sup> day of April 2011.

Before me:



Notary Public





# Grant Thornton

## Hugh Dickson

CA (Member of the Scottish Chartered Accountants)  
 Qualified Insolvency Practitioner (JIEB)  
 MA (Economics & Accountancy), Edinburgh University



### RECOVERY and REORGANISATION PARTNER

Hugh has been a Recovery & Reorganisation partner with Grant Thornton since 2006. He heads up Grant Thornton's Caribbean offshore financial centre insolvency practice. He has over 25 years experience in restructuring, insolvency, and the financial sector. His experience includes roles for the IMF, World Bank, and EU, as well as advising 8 governments on restructuring, insolvency, financial sector intervention and related legislation. He currently specialises in offshore insolvencies, with a focus on financial sector insolvencies and frauds.

#### Current Sector Experience

- Liquidator of a number of investment companies and banks involved in a multi billion dollar group collapse, with allegations of a \$9 billion dollar fraud and misappropriation of assets. The case involves complex issues of cross border investigation and asset tracing/recovery across 10 countries, as well as the coordination of legal and insolvency proceedings in multiple jurisdictions.
- Liquidator of a Cayman entity involved in a multi jurisdiction \$115 million Ponzi scheme involving the Caymans, St Vincent, Bahamas and Canada. Hugh's team are pursuing asset tracing, recovery actions for fraudulent and unfair preferences, breach of fiduciary duty against directors and officers, and possible damages actions against the entity's bankers, who administered the funds of a number of entities engaged in the misappropriation of assets. The team are also assisting the RCMP in their investigations.
- Liquidator of two British Virgin Islands based entities at the centre of a Ponzi scheme, defrauding an estimated 10,000 European and Asian retail investors. The fraud then used the retail investors' monies to obtain substantial amounts of leverage from major

investment banks, with total losses estimated at over \$600m.

- Liquidator of a Cayman entity indirectly invested in the Madoff funds, with consequent issues involving attempted claw back claims by the US SIPC trustee.
- Liquidator of several BVI based hedge funds heavily invested in the US "Petters" fraud. Investigating value of investments, and options for asset recoveries, securing assets in intermediate funds and potential causes of action.
- Liquidator of a Cayman hedge fund with a claimed NAV of over \$500m shortly prior to its collapse. Alleged breaches of investment guidelines, preferences in paying redemptions and the realisation of illiquid assets are features of the case. The liquidators are also investigating allegations of fraudulent assets being used to disguise trading losses, and the potential for litigation against directors and service providers.

#### Banking advisory experience

- Advisor to a Caribbean full service bank undergoing liquidity and operational challenges. Provided advice on the major issues affecting the bank, the risks of regulatory intervention and necessary changes to its financing and operational approach.
- Working directly for a major Turkish banking group, assisted the group to reach a settlement with the Banking Restructuring Authority over \$5bn in debt and their shareholding in the third and fifth largest banks in Turkey; resolution of which avoided an intervention by the authority and was a structural benchmark for the IMF program.
- Advisor to the principal creditor of a Caribbean bank placed in provisional liquidation, advising on rescue

plans for the bank and options to enforce against assets covered by charges.

- Advisor to a major South Korean bank on the creation of a work out department, and the recovery and realisation of its non performing asset portfolio, including exposures in excess of \$1 billion.
- Advisor to Romania's second largest bank on the development of in house operational manuals and procedures for the credit and work out departments.
- Review of major UK bank's structured finance book, with particular emphasis on risk management and asset recovery.

### **Financial Sector Intervention & Regulatory Assignments**

- Led the team that set up the Thai Financial Sector Restructuring Authority, responsible for the Thai government's intervention into the financial sector during the Asian financial crisis. Hugh's team helped determine which fincos to intervene, designed and controlled the no notice simultaneous intervention into 56 institutions seizing over \$20 billion in assets, and subsequently manage the asset realisation and creditors settlement process.
- Technical advisor to the IMF on intervention and subsequent non-performing loan resolution process in Turkey during the 2001 banking crisis. Working directly for the IMF assisted both the Turkish governments' Bank Restructuring Authority (regulatory and intervention body) and the Savings Deposit Insurance Fund (asset realisation/intervention cost mitigation).
- Advisor to the Korean Financial Services Commission during the Korean banking crisis, advising initially on banking intervention and latterly on designing a banking bail out system (through bad asset acquisition) that would encourage banks to clean up their balance sheets and allow recapitalisation whilst cushioning loss recognition.
- Headed projects for the Central Bank of Egypt to establish a Banking Supervision Department and advice on Foreign Reserves Management.
- Headed team assisting the Indonesian Bank Restructuring Authority with their asset management

and realisation of in excess of \$40 billion of intervened banking assets, including banking mergers as well as straight realisation.

- Ran training program for banking intervention for the Thai Central Bank.
- Technical advisor to the Government of Malaysia on the design and implementation of Danaharta, their vehicle for bank restructuring. Over 51% of non-performing loans (\$2.8 billion) were secured by property collateral ranging from raw land to retail developments, making a real estate strategy central to Danaharta's success.

### **Contact details**

7 Dr. Roy's Drive  
P.O. Box 1970  
Grand Cayman KY1-1108  
Cayman Islands

T: +345 949 7100  
M: +345 918 8872  
E: [hugh.dickson@uk.gt.com](mailto:hugh.dickson@uk.gt.com)



# Grant Thornton

## Marcus A. Wide

CA (Member of the Canadian Institute of Chartered Accountants)  
 CAIRP (Member of Canadian Association of Insolvency and Restructuring  
 Practitioners)  
 Insolvency Institute of Canada  
 Trustee in Bankruptcy

---

### RECOVERY and REORGANISATION PARTNER

Marcus has recently accepted a position as head of Grant Thornton's insolvency and restructuring practice in the British Virgin Islands. He has been a full time insolvency practitioner since 1974 and over the last 15 years has worked extensively throughout the Caribbean including Anguilla, Antigua, the Bahamas, Barbados, Bermuda, Dominica, the Dominican Republic, Grenada, Jamaica, St Lucia, St Vincent, Trinidad and Turks and Caicos.

In the course of his work in the Offshore Banking industry, Mr Wide has developed extensive contacts with regulators and enforcement authorities in the West Indies, the USA, the United Kingdom and elsewhere. This network of contacts enables review, investigation and recovery assignments to be undertaken with access to a wide range of information relevant to the offshore finance industry and potential money laundering issues that are unique in the profession.

Actively pursuing assets and claims in over 30 countries in North, South and Central Americas, Europe (both EU and non-EU countries), Africa, Asia and Australasia. The multi-jurisdictional nature of these assignments have also necessitated dealing with other insolvency practitioners or receivers in other jurisdictions, including Trustees in Bankruptcy in a variety of countries, Chapter 11 appointees, use of chapter XV proceedings, Court Receivers and Liquidators, and UK Administrators. In some cases a co-operative approach has been negotiated to minimise cost and time delays. Whilst a co-operative approach is generally preferable, in some cases litigation has been required.

### Caribbean Banking Experience

- Provided oversight to the Antiguan office of the European firm and assistance in the liquidation of an offshore bank, worked in conjunction with the regulatory authority, dealing with heavily litigated competing claims from the Ukraine and US, tracing and recovering assets from a variety of jurisdictions generating cash for depositors in excess of \$75 million.
- The controllership (investigation for regulators) or Court Liquidation of approximately 18 offshore banks and other financial service companies in Grenada, ranging in scale from liabilities of hundreds of millions, to minor banks with liabilities of millions or less. These have included acting in other jurisdictions to recovery property of the banks, investigations into fraud and money laundering and pursuing litigation against bank directors and officers. Assets were traced and recovered from multiple jurisdictions often in the face of competing claims, including the US, various European countries, the far East and Africa. In conducting these files, Mr Wide worked not only with the Government and its regulatory board but also in co-operation with the law enforcement agencies both in Grenada and overseas, including the FIU, the FBI, the US Treasury, the Serious Fraud Office in the UK and the Lincolnshire Constabulary Fraud Unit.
- Acting as the partner responsible for the investigation and court liquidation of 4 offshore banks/financial institutions in Dominica, including dealing with substantial money laundering issues and assistance to the Financial Investigation Unit in recovering money for the Dominican Treasury, working in cooperation

with other international agencies including the Serious Fraud Office in the UK, the FBI and US Treasury, the Fraud Unit of the Leicester Constabulary, investigative authorities in Germany, and includes providing testimony at trials in the UK and the USA based on the record recovery and forensic work carried out. Recoveries have been effected or are in the process from the US, Austria, UK, Mexico and other EU countries including Greece and Belgium. Many of these recoveries have been contested with local claimants in particular a receiver in the USA.

- Acting as the partner responsible for the receivership or court liquidations of 8 offshore banks in St Vincent and the Grenadines, including recoveries from overseas, extensive litigation for the recovery of assets and in defense of actions taken by bank principals to defer and hinder investigation into possible fraud and other wrong doing. Securing records of the banks in a form that will protect them as a reliable source for continuing litigation and prosecution of officers operating in a fraudulent manner or without due regard for the assets and related liabilities.
- Investigated offshore banks and international business corporations and their interlocking interests in St Vincent and in the Bahamas for depositor clients, with resulting appointments as liquidator in both St Vincent and Bermuda.
- Provided testimony in court in respect of offshore banking issues, and in support of criminal charges in Canada, the USA and UK.
- Provided advice in the sale, equity support and negotiations for the sale of a group of insolvent banks under control of the Government of Jamaica.

#### **Other Global Insolvency Experience**

- Mr Wide has extensive experience in other jurisdictions including Guatemala, St Vincent, Canada, Dominica and St Lucia.
- He has also been involved in several industry sectors ranging from hospitality to tourism and real estate.

#### **Representative client list**

Bank of Montreal  
 Canadian Imperial Bank of Commerce  
 Royal Bank of Canada  
 Toronto Dominion Bank  
 National Bank of Canada  
 Bank of Nova Scotia  
 Banque Nationale de Paris  
 First Caribbean International Bank  
 Chrysler  
 GE Capital  
 Royal Bank of Trinidad and Tobago  
 Government of Canada  
 Government of the Province of PEI  
 Government of Jamaica  
 Government of St Vincent & the Grenadines  
 Government of Grenada  
 Government of Dominica  
 Air Jamaica  
 Private Lenders and Corporations

#### **Contact details**

2nd Floor The Barracks, 171 Main Street  
 P.O. Box 4259  
 Road Town, Tortola  
 BVI

T: +284 494 6162  
 M: +284 340 6162  
 E: [marcus.wide@uk.qi.com](mailto:marcus.wide@uk.qi.com)

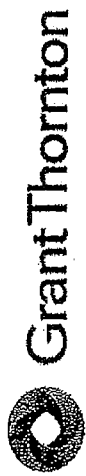
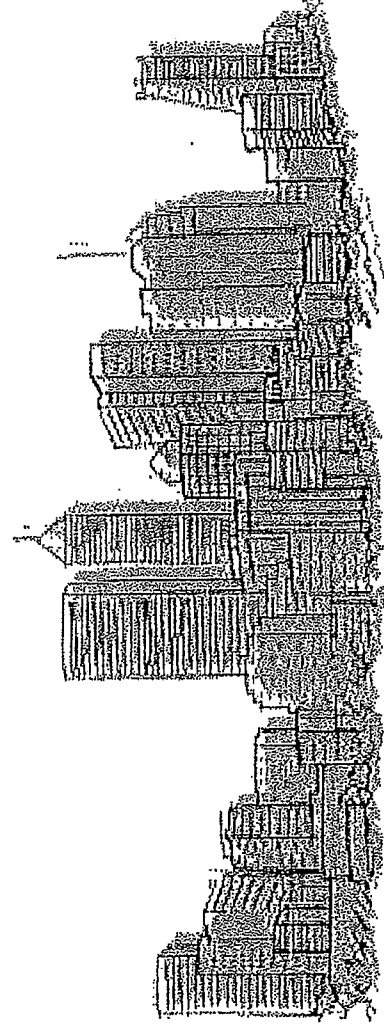


Exhibit 1: Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

---



# Key capabilities to this assignment

**Cross-border recognition of insolvency proceedings (esp. in the US)**

**Investigating allegations of complex cross-border fraud**

**Insolvency of Banks**

**International fraud asset tracing and recovery**

## Our Experience

- in our Madoff assignment we are currently working in close co-operation with an array of US regulatory authorities, including the Department of Justice, FBI, Securities Exchange Commission and the SEC Receiver
- Steve Akers' BCCI appointment involved negotiating and implementing a cooperative agreement with the Department of Justice in the USA and the Attorney General in the Southern District of New York as well as 15 other agencies

- in our provisional liquidation of Madoff Securities International Ltd, we are investigating part of an alleged \$50 billion 'Ponzi' scheme
- in our appointment by the Serious Fraud Office, as an expert we opined on an alleged \$400m high yield 'ponzi' investment fraud in the Caribbean and UK
- in our Project Longboat assignment, we are investigating fraud allegations relating to £1.6bn of complex financial instruments on behalf of a major European bank

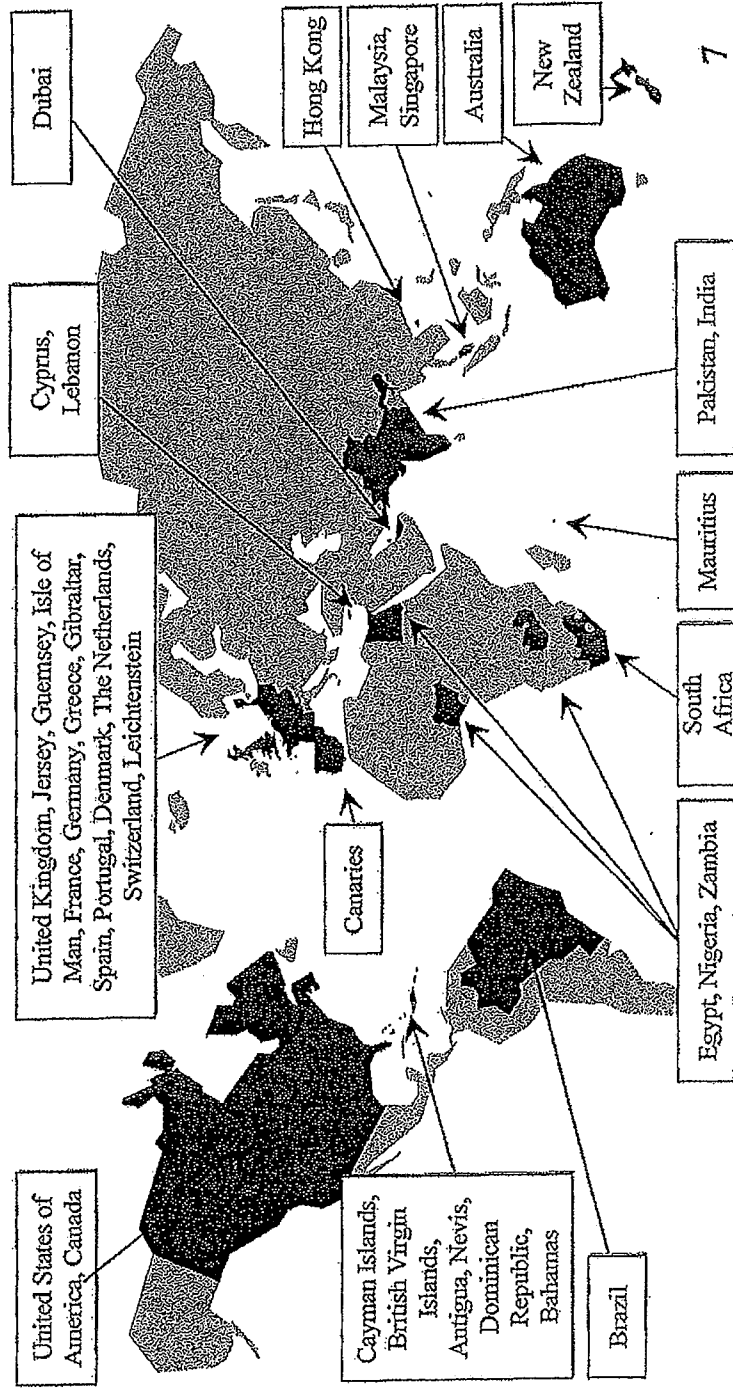
- Steve Akers' role as liquidator of BCCI SA, the largest ever Bank failure at that time, involved assets of some \$10 billion.
- in our liquidation of an Antiguan bank, we dealt with complex trust arrangements which had been subject to an £120m fraud
- Hugh Dickson work for FRA and IBRA involved the intervention into numerous banks and fimco's during the Asian financial crisis and realisation of their assets, involving some \$42 billion of assets.

- our Recovery & Reorganisation teams have considerable experience of the tracing and recovery of the proceeds of fraud around the globe
- a selection of jurisdictions from which we have recovered the proceeds of fraud and other economic crime is shown overleaf

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

# International fraud asset tracing and recovery

We have recovered the proceeds of fraud and other economic crime from the following countries:



Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

## About Grant Thornton

### Grant Thornton International

- The Grant Thornton International worldwide network has revenues in excess of USD\$2.7bn and representation in over 112 countries across 519 locations employing 21,500 people.
- Although Grant Thornton International is not a worldwide partnership, the firms share a commitment to providing the same high quality service to their clients wherever they do business.

### Grant Thornton UK LLP

- Grant Thornton UK LLP is the UK member firm of Grant Thornton International.
- Grant Thornton UK LLP has a turnover of £378m and over 250 partners and 4,000 staff operating from 29 locations in the UK, Cayman and British Virgin Islands.
- It is currently the fifth largest accountancy services firm in the UK in terms of revenues.

### Recovery & Reorganisation

- Grant Thornton UK LLP Recovery & Reorganisation has 37 partners and 19 directors, and over 620 staff in 19 locations in the UK, Cayman and British Virgin Islands.
- The complex insolvencies and offshore restructuring team, led by Steve Akers and Hugh Dickson, have a particular expertise in the restructuring and enforcement of complex corporate entities and offshore investment vehicles, particularly those domiciled in the Caribbean.

- The Grant Thornton Cayman and BVI operations are run in close coordination with the Grant Thornton UK insolvency team.
- A common ownership and management structure facilitates seamless access to UK staffing and resource. This common ownership is a unique structure to Grant Thornton.

### Forensic & Investigation Services

- Grant Thornton UK LLP's Forensic & Investigation Services team assists business, their legal advisers and regulators on dispute resolution, regulatory investigations, fraud and asset tracing and money laundering investigation.
- The team has 8 Partners, 8 Directors and over 100 professional staff based across the UK and have particular expertise in the financial services sector and are regularly instructed on assignments involving financial institutions where there are complex issues, often involving multi-jurisdictional consequences.
- Hossein Hamedani leads its work in the financial services sector. Experience includes acting as inspector under Jersey Financial Services Law to investigate the split capital market issues, acting as expert or adviser in assignments including Barings Singapore, Lloyds' of London, BCCI, Maxwell Pension Funds.

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

# Experience: Madoff Securities International Limited

<b>Madoff Securities International Limited</b>
\$50bn Investment Fund 'Ponzi' Scheme
2008 - Ongoing
Partners of Grant Thornton UK LLP are acting as provisional liquidators

- In December 2008, Steve Akers, Mark Byers and Andrew Hosking of Grant Thornton UK LLP were appointed Provisional Liquidators of Madoff Securities International Ltd.
- This action, on the petition of the companies directors and with the blessing of the UK FSA, followed the arrest of Bernard Madoff, the former chairman of the NASDAQ stock market, on allegations that his hedge fund was a "Ponzi scheme" and had allegedly racked up \$50 billion (£33.5 billion) of fraudulent losses.
- Our role as provisional liquidators of the company is to identify and preserve assets and undertake an investigation into its business affairs in co-operation with the Department of Justice, FBI, SIPC Trustee and SEC Receiver agencies in the US and Serious Fraud Office in the UK.
- we had to step in to help the US SIPA Trustee set up a working relationship with the US Attorney's Office in the Southern District of New York, where the relationship had broken down because two of the insolvency estates (in the USA and UK) were potentially competing for assets. We instigated a resolution of that difference by putting a cooperation and information sharing protocol in place and we further assisted the US Trustee to obtain recognition in the UK.
- An SEC Receiver was appointed in the USA and he sought to take control of the UK entity. He was persuaded by us, on our appointment, that his powers did not extend beyond the US and that through proper cooperation between jurisdictions we worked with him to keep him informed of the winding up of the UK entity until his role was replaced by the appointment of a US Trustee.
- As a result, we agreed a way in which assets would be realised and information shared between the two estates as well as the way in which they can cooperate to bring claims against third parties for the benefit of creditors.
- Large amounts of electronic and hard copy data have been secured and is now being reviewed to assist the US and UK authorities with their enquiries under the supervision of the Courts in the UK.



## Experience: Antigua offshore bank

<b>Antigua offshore bank</b>	
Antigua offshore bank £120m+ fraud	1998
Partners of Grant Thornton appointed as liquidators	

- The company was an Antigua offshore bank with complex trust arrangements. The bank had been subject to an £120m fraud prior to us being appointed as liquidators by the court.
- We traced and recovered:
  - A US\$20m yacht
  - Properties in Italy and the UK
  - Cash and stocks in Switzerland and Jersey
- In this case computer hard disk imaging and reconstruction of records were essential in tracing assets.
- Our international experience was also invaluable when dealing with the Antigua Government, Swiss prosecutor and Jersey trusts.
- Currently in excess of £25m has been recovered, legal action remains ongoing and the lead perpetrator has been imprisoned and bankrupted.

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

## Experience: BCCI

 	£10bn Retail Bank Failure	1990s
Partners of Grant Thornton UK LLP provided advisory services		

Steve Akers acted as one of the English Liquidators of Bank of Credit and Commerce International, the largest ever bank insolvency at that time. One of Steve's primary roles in this case was to lead a number of the teams pursuing asset recovery through litigation and sensitive negotiations. This involved him in managing and directing teams of lawyers, insolvency, and forensic staff working across many different jurisdictions, including the United States, United Kingdom, Jersey, Cayman Islands, British Virgin Islands, Saudi Arabia, India, Pakistan, Hong Kong, Canada and UAE. This work led to recoveries of several billion dollars.

The BCCI appointment involved negotiating and implementing a cooperative agreement with the Department of Justice in the USA and the Attorney General in the Southern District of New York as well as 15 other agencies.

As part of this case, we provided extensive assistance to the Serious Fraud Office, the FBI, the District Attorney of New York and the Department of Justice which led to a number of successful prosecutions and further realisations for victims as a consequence of those prosecutions.

- Separately, Hossein Hamedani advised the government of Abu Dhabi in relation to collapse of BCCI pursuant to allegations of fraud including advice on:

- regulatory enquiries by the US Government, the Federal Reserve and the UK Government;
- investigation of losses incurred and defence of shareholder as a victim rather than perpetrator of frauds
- tracing of losses incurred by the Abu Dhabi Government for the purposes of identification and recovery of any remaining assets, giving evidence in the criminal trial of the perpetrators and demonstrating the position of the majority shareholder as the victim.
- preparation of claim against advisors, customers, and perpetrators of fraud
- defence of contribution claims against the Abu Dhabi Government

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

## Experience: Saad Investments Company Limited

<b>Saad Investments Company Limited</b>
Alleged \$10bn Investment Fraud
2009 - Ongoing
Partners of Grant Thornton UK LLP are acting as liquidators

- On 5 August 2009, Steve Akers, Hugh Dickson and Mark Byers of Grant Thornton UK LLP were appointed as Joint Provisional Liquidators of Saad Investments Company Limited ("SICL") by the Grand Court of the Cayman Islands on the petition the members of a syndicate of 27 banks.
- The provisional liquidation was then 'converted' to an official liquidation on the 18 September 2009 by the Court.
- SICIL functioned both as a holding company for the wider Saad Group in the Cayman Islands and as a private investment company holding some of the offshore assets of Mr. Al Sanea (who was ranked number 62 in the Forbes' 2009 World Billionaires list).
- Mr. Al Sanea and the Saad Group are accused by fellow Saudi family conglomerate Ahmad Hamad Al Gosaibi and Brothers ("AHAB") that during his time as head of AHAB's financial services arm, the Money Exchange, he falsified documents and committed fraud by diverting billions in AHLAB funds to his own Saad companies.
- Our role as liquidators of SICL is to identify and preserve assets and undertake an investigation into its business affairs for the benefit of its creditors.
- Our efforts to date have focussed on gaining recognition for our appointment in various 'challenging' offshore jurisdictions. To date we have identified assets in excess of \$2bn and are taking steps (where possible) to secure and realise those assets through further liquidation appointments. An example of this approach has been our appointment as liquidators of Singularis Holdings Limited, a Cayman Islands investment vehicle which allegedly held c.2.7% of the issued share capital of HSBC, worth c.£2.5bn (at the time of writing).
- Cross border recognition proceedings taken in the UK, Jersey, Switzerland, Bermuda, and the Bahamas.

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

## Experience: DD Growth Premium Master Fund

<b>DD Growth Premium Master Fund</b>
Alleged \$550m Hedge Fund Fraud
2009 - Ongoing
Partners of Grant Thornton UK LLP are acting as liquidators

- In April 2009, Hugh Dickson and Steve Akers were appointed to DD Growth Premium Master Fund ("the fund"), a \$550m hedge fund operated by Dynamic Decisions Capital Management, amid concerns over an apparent collapse in asset value and failure to meet \$400m in redemption requests.
- The fund was incorporated in the Cayman Islands but its investment manager Dynamic Decisions Capital Management, an English incorporated entity was authorised by the UK Financial Services Authority, handled all its operations.
- The declared investment objective of the fund was to seek to achieve absolute returns for investors by adopting a highly liquid strategy of investing in long/short pairs in US and European equities with the focus on large capitalisation entities. The unaudited NAV of the master fund on December 31, 2008 indicated a value of \$550 million. Allegations were made in respect of the true remaining asset value and the nature of the assets held as the master fund was unable to pay a number of large redemption requests.
- On the 12th November 2009 the UK's Serious Fraud Office (SFO) launched a criminal investigation into the actions of Dynamic Decisions Capital Management Ltd.
- The liquidators are working with the SFO and continue their investigations into the financial position and affairs of the fund.
- This assignment is ongoing

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

## Experience: K1 Invest Ltd & K1 Global Ltd

<b>K1 Invest Ltd &amp; K1 Global Ltd</b>	
Alleged \$600m plus Hedge Fund Fraud	2009 - Ongoing
Partners of Grant Thornton UK LLP are acting as liquidators	

- In November 2009, Hugh Dickson and Mark McDonald of Grant Thornton UK LLP were appointed as liquidators of British Virgin Islands domiciled K1 Invest Ltd and K1 Global Ltd ("the funds") by the shareholder to the funds.
- The funds are alleged to be associated with the K1 Group, a Germany based hedge fund manager. K1 Group was thrust into the spotlight in October 2009 as allegations emerged that it had allegedly embezzled hundreds of millions of dollars from a number of global investment banks and over 10,000 retail investors, many based in Germany. Retail investors funds were then leveraged using derivative instruments. The exact losses are unknown as the banks have never disclosed their total losses on the derivatives, but are at least US\$600 million and may be as high as \$1.8 billion.
- The liquidators are working with German authorities and have commenced investigations into the financial position and affairs of the funds. The guiding mind of the scheme is in custody.
- This assignment is ongoing

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

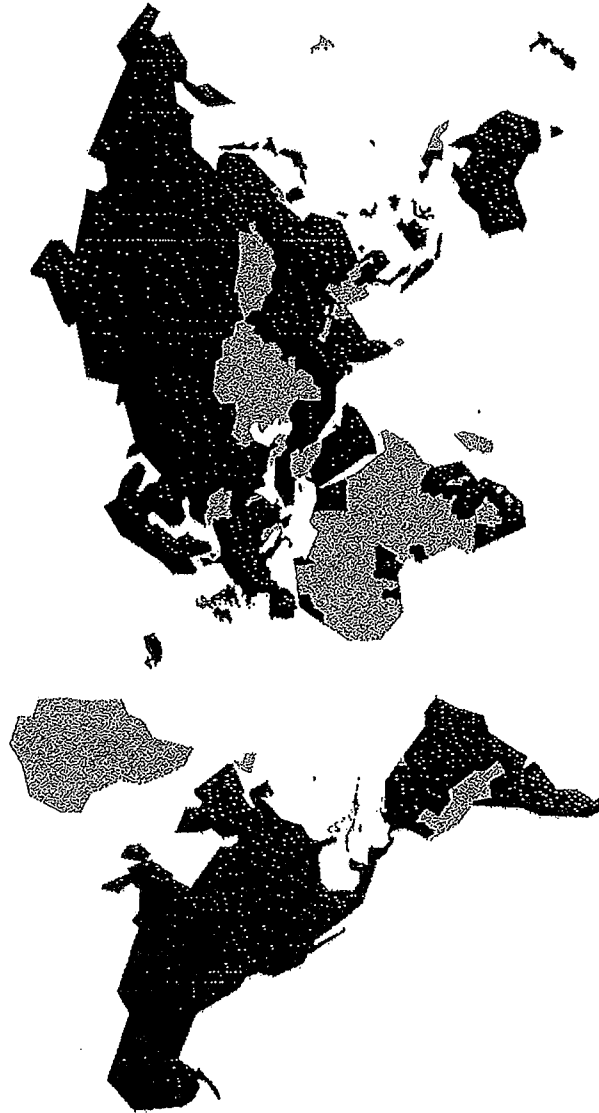
## Experience: Project Longboat

<b>Project Longboat</b>	
Investment Fraud & Diversion of Assets	2008 - Ongoing
Partners of Grant Thornton UK LLP are acting as provisional liquidators	

- In December 2008, Steve Akers and Hossein Hamedani were appointed by a major European bank to assist on judicial review of action by the UK Government, investigate their largest exposure, offshore structures, potential fraud, appointment of receivers to recover assets and litigation for recovery of the securities and debt due.
- This has involved the Bank's largest exposure of £1.6bn with extensive forensic analysis required for recovery actions could be identified.
- Subsequent insolvency appointments have followed in order to secure assets and protect underlying assets.
- This assignment is ongoing.

Grant Thornton's complex insolvency and forensic services in relation to the financial services sector

## About Grant Thornton

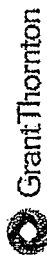


### Grant Thornton International Ltd

- Member and correspondent firms in over 100 countries
- 500 member firm offices worldwide
- Member firms provide access to over 25,000 employees and 2,400 partners
- Combined member firm revenues of US\$5.5 billion

### Grant Thornton UK LLP

- Fifth largest accountancy firm in the UK
- Member firm within Grant Thornton International Ltd
- Established in 1904
- 50 locations nationwide
- Service 25,000 individuals and 15,000 corporates
- Comprises 250 partners and over 3,500 staff
- Annual fee income of \$378 million
- LexisNexis Tax award 2009
- Top 100 Graduate employer Times Survey 2009



© 2010 Grant Thornton UK LLP. All rights reserved.

\*Grant Thornton refers to Grant Thornton UK LLP, a limited liability partnership.

Grant Thornton UK LLP is a member firm within Grant Thornton International Ltd ("Grant Thornton International"). Grant Thornton International and the member firms are not a worldwide partnership. Services are delivered by the member firms independently.

This proposal is made by Grant Thornton UK LLP and is in all respects subject to the negotiation, agreement and signing of a specific contract/order of engagement.

The client names quoted within this proposal are disclosed on a confidential basis. All information in this proposal is released strictly for the purpose of this process and must not be disclosed to any other parties without express consent from Grant Thornton UK LLP. [www.grant-thornton.co.uk](http://www.grant-thornton.co.uk)

THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA

Claim No.: ANUHCY2009/0149

In the Matter of Stanford International Bank Limited (In Liquidation)

And

In the Matter of the International Business Corporations Act, Cap 222 of the Laws  
of Antigua and Barbuda

And

In the Matter of an Application for the Removal of the Liquidators

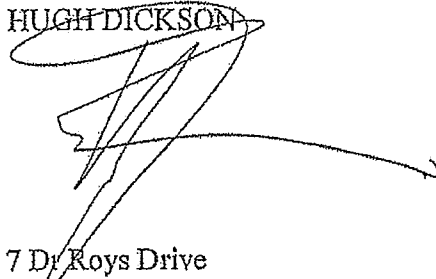
AMENDED CONSENT OF PERSON TO ACT AS JOINT LIQUIDATOR

I, the undersigned, hereby consent to act as joint liquidator of Stanford International Bank Limited with Marcus Allender Wide of Grant Thornton (British Virgin Islands) Ltd.

NAME:

~~HUGH DICKSON~~

SIGNATURE:



ADDRESS:

7 Dr Roys Drive  
George Town  
Grand Cayman  
Cayman Islands

DATE:

15 April, 2011

OCCUPATION

Insolvency Practitioner