

Mitteilung an alle Anteilseigner der Kingate Global Fonds:

Anbei finden Sie die Information der Fondsgesellschaft, folgender Fonds ist betroffen:

VGG5255Z1146

Kingate Global Fund Ltd - In Liquidation - USD Dis

Details können Sie der beigefügten Anlage entnehmen. Falls Ihre Kunden diesen Änderungen nicht zustimmen und die Möglichkeit besteht, die Anteile ohne Gebühren seitens der Fondsgesellschaft zurückzugeben, können Sie den Verkauf der Anteile direkt in MoventumOffice erfassen.

Bitte nehmen Sie zur Kenntnis, dass für die Abwicklung dieser Aufträge die im Preis- und Leistungsverzeichnis von Moventum ausgewiesenen Gebühren und die auf MoventumOffice angegebenen Annahmeschlusszeiten gelten.



KALOADVISORS.COM

27 March 2018

TO ALL KNOWN CREDITORS AND MEMBERS

Dear Sirs

Kingate Global Fund Limited – In Liquidation (the “Company”)

I write to advise you that an application was made to the BVI Court to remove Mr. Stuart Mackellar as Joint Liquidator of the Company, due to his retirement, and appoint me in his place.

I confirm that the application was heard on 9 March 2018, by way of a block application including other appointments of Mr. Stuart Mackellar, and the BVI Court granted the order sought, a copy of which is enclosed. I have now been appointed as Joint Liquidator of the Company. For the avoidance of doubt, Paul Pretlove will continue to act as Joint Liquidator.

Mr. Mackellar is acting as a Consultant to Kalo in order to ensure an efficient and effective handover of this matter.

Yours faithfully

Tammy Fu
Joint Liquidator

Enclosure:
Order dated 9 March 2018

PO Box 4571
Palm Grove House
Road Town, Tortola
British Virgin Islands
VG1110
0284 355 9800

THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
VIRGIN ISLANDS
COMMERCIAL DIVISION



CLAIM NO. BVIHC (COM) 221 of 2017

THE BVI INSOLVENCY ACT, 2003 (AS AMENDED)

AND

IN THE MATTER OF PERFORMANCE INVESTMENT PRODUCTS CORPORATION AND
OTHERS

BETWEEN:

STUART CHARLES EDWARD MACKELLAR

Applicant

-and-

- 1) PAUL LEWIS PRETLOVE
- 2) RODERICK JOHN SUTTON
- 3) HEI FOK YU VINCENT
- 4) MARIA MECHELLE FERERE
- 5) LAU WU KWAI KING LAUREN
- 6) JOHN BATCHELOR
- 7) BRUNO ARBOIT

Respondents

ORDER

BEFORE: The Honourable Mr. Justice Adderley
DATED: 9 March 2018
ENTERED: 9th March 2018

UPON THE ORIGINATING APPLICATION filed by the Applicant on 15 December 2017 ("Application"), seeking to be substituted, removed, released and/or replaced as a liquidator, a receiver and/or a supervisor as the case may be, pursuant to sections 186 and/or 187, sections 122 and/or 123, section 235 and sections 41 and/or 42 of the BVI Insolvency Act, 2003 (as amended) (the "Act") and/or the inherent jurisdiction of the Court, coming on for hearing,

AND UPON THE COURT TAKING NOTICE of Schedules 1 to 8 in the Appendix to this Order, the forms of consent provided by the Respondents and the fact of notification given to the Financial Services Commission.

AND UPON HEARING Mr Jerry Samuel, of Counsel of Conyers Dill & Pearman for the Applicant and no appearances for the Respondent.

AND UPON READING the following documents:

- a) The Originating Application filed on 15 December 2017;
- b) Affidavit of Paul Pretlove and Exhibit "PLP-1" filed on 15 December 2017;
- c) Affidavit of Stuart MacKellar filed on 21 December 2017;
- d) Second Affidavit of Paul Pretlove and Exhibit "PLP-2" filed on 8 January 2018;
- e) Third Affidavit of Paul Pretlove and Exhibit "PLP-3" filed on 31 January 2018;
- f) Fourth Affidavit of Paul Pretlove and Exhibit "PLP-4" filed on 1 February 2018; and
- g) Fifth Affidavit of Paul Pretlove and Exhibit "PLP-5" filed on 16 February 2018.

IT IS HEREBY ORDERED THAT:

- 1) In relation to each of the companies in liquidation listed in Schedules 1 and 2 of the Appendix, Mr Paul Pretlove shall be appointed as Liquidator thereof in the place of Mr Stuart Mackellar.
- 2) In relation to each of the companies in liquidation listed in Schedules 3 and 6 of the Appendix, Ms Angela Barkhouse shall be appointed as Liquidator thereof in the place of Mr Stuart Mackellar.
- 3) In relation to each of the companies in liquidation listed in Schedule 4 of the Appendix, Ms Tammy Fu shall be appointed as Liquidator thereof in the place of Mr Stuart Mackellar.
- 4) In relation to each of the companies under joint supervision listed in Schedule 5 of the Appendix, Mr Paul Pretlove shall be appointed as a Joint Supervisor thereof in the place of Mr Stuart Mackellar.
- 5) In relation to each of the companies in receivership listed in Schedule 7 of the Appendix, Mr Paul Pretlove shall be appointed as Receiver thereof in the place of Mr Stuart Mackellar.
- 6) In respect of the company listed in Schedule 8 of the Appendix, the Applicant shall be removed as Liquidator and released from his obligations in that capacity, without the appointment of a substitute in his stead.
- 7) The Applicant shall as soon as practicable:

- a) In respect of each of his appointments which were made by the Court, file a copy of this Order (redacted, as appropriate, to remove references to other entity names) on the Court file in each action in which he was appointed;
 - b) In respect of each of his appointments which were not made by the Court, deliver a copy of this Order (redacted, as appropriate, to remove references to other entity names) to the person or persons who appointed him; and
 - c) Advertise the terms of this Order in the Official Gazette of the Territory of the Virgin Islands and in any other newspapers which appear to him to be appropriate.
- 8) Such further order as the Court thinks fit.

By the Court


De Registrar

APPENDIX (Schedules 1 – 8)

Schedule 1

Companies where liquidators appointed by Court and substitution by Paul Pretlove is sought

<u>Court No.</u>	<u>Company Name</u>	<u>Liquidator leaving</u>	<u>Liquidator remaining</u>
118/2007	Performance Investment Products Corporation	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
366/2008	Peace Mark (B.V.I.) Limited	Stuart Mackellar	Roderick Sutton
0376/2009	Dynasty Line Limited	Stuart Mackellar	Lau Wu Kwai King Lauren
0064/2009	Glory Wealth Shipping Services Limited	Stuart Mackellar	-
108/2010	Angel Wise Limited	Stuart Mackellar	John Batchelor
0055/2012	Matrix Distribution Limited	Stuart Mackellar	-
006/2012	Euroinvest Alliance Ltd	Stuart Mackellar	-
006/2012	Eximtech Investments Ltd	Stuart Mackellar	-
006/2012	Marketing Premium Inc	Stuart Mackellar	-
006/2012	Target Coins Corporation	Stuart Mackellar	-
006/2012	Zolotoi Finance Limited	Stuart Mackellar	-
2012/0030	South Eagle Holdings Limited	Stuart Mackellar	-
0014/2015	Crosscan Financial Corp.	Stuart Mackellar	-
102/2013	Chimichanga Corp	Stuart Mackellar	-
67/2015	Denwens Limited	Stuart Mackellar	-
139/2015	Cinque Terre Financial Group Limited	Stuart Mackellar	-
0029/2015	Shiny Times Holdings Limited	Stuart Mackellar	Bruno Arboit
0051/2016	Qiao Xing Mobile Communication Co., Ltd.	Stuart Mackellar	-
0032/2015	Dallas Trading Corp.	Stuart Mackellar	Maria Ferere

Schedule 2

Companies where liquidators appointed by members and substitution by Paul Pretlove is sought

<u>Court No.</u>	<u>Company Name</u>	<u>Liquidator leaving</u>	<u>Liquidator remaining</u>
0188/2007	Bei Trade Properties (China) Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
028/2012	Phoenix Lake, Ltd.	Stuart Mackellar	-
0028/2012	Azur Opportunity Fund	Stuart Mackellar	-
0035/2012	Dakota Global Investments Ltd	Stuart Mackellar	-
0036/2012	Rafale Partners Inc	Stuart Mackellar	-
0028/2012	ArrowHead Target Fund Ltd.	Stuart Mackellar	-
1247/2009	Olympia International Holdings Limited	Stuart Mackellar	Yuen TSZ Chun Frank
102/2014	Midway United Limited	Stuart Mackellar	-
102/2014	Glan Worldwide Limited	Stuart Mackellar	-
N/A	Play LA Inc.	Stuart Mackellar	-

Schedule 3

Companies where liquidators appointed by Court and substitution by Angela Barkhouse is sought

<u>Court No.</u>	<u>Company Name</u>	<u>Liquidator leaving</u>	<u>Liquidator remaining</u>
0064/2009	Glory Wealth Shipping Services Limited	Stuart Mackellar	-
84/2017	Eureka Analytical Services Limited	Stuart Mackellar	Paul Pretlove
165/2016	Hermes One Ltd.	Stuart Mackellar	Paul Pretlove
166/2016	Everbread Holdings Limited	Stuart Mackellar	Paul Pretlove

Schedule 4

Companies where liquidators appointed by Court and substitution by Tammy Fu is sought

<u>Court No.</u>	<u>Company Name</u>	<u>Liquidator leaving</u>	<u>Liquidator remaining</u>
163/2009	Kingate Euro Fund Limited	Stuart Mackellar	Paul Pretlove
164/2009	Kingate Global Fund Limited	Stuart Mackellar	Paul Pretlove

Schedule 5

Companies where supervisors appointed by Court and substitution by Paul Pretlove is sought

<u>Court No.</u>	<u>Company Name</u>	<u>Liquidator leaving</u>	<u>Liquidator remaining</u>
0027/2012	Peace Mark (B.V.I.) Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	A-A United Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	Asia Aluminium Group Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	Benson International Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	Capricorn Company Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	Global Applied Technologies Finance Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	PM Asia Pacific Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	PM Company Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	PM Distribution & Marketing (USA) Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	Polywell Enterprise Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	Peace Mark Production Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent
0027/2012	Sino Advance Investments Limited	Stuart Mackellar	Roderick Sutton & Hei Fok Yu Vincent

Schedule 6

Companies where liquidators appointed by Members and substitution by Angela Barkhouse is sought

<u>Court No. remaining</u>	<u>Company Name</u>	<u>Liquidator leaving</u>	<u>Liquidator</u>
0035/2012	Dakota Global Investments Ltd	Stuart Mackellar	-
0036/2012	Rafale Partners Inc	Stuart Mackellar	-
0028/2012	Azur Opportunity Fund	Stuart Mackellar	-

Schedule 7

Companies where receivers appointed by Court and substitution by Paul Pretlove is sought

<u>Court No.</u>	<u>Company Name</u>	<u>Liquidator leaving</u>	<u>Liquidator remaining</u>
0128/2017	LemonTree Leaves Limited	Stuart Mackellar	-
0128/2017	Astoria Investments Limited	Stuart Mackellar	-
118/2017	R&S Trust	Stuart Mackellar	-
307/2006	Hakkisan Finance Corporation Limited	Stuart Mackellar	-
307/2006	Myrzaly Limited	Stuart Mackellar	-

Schedule 8

Companies where liquidators appointed by Court and where the Applicant's removal and
release is sought without the appointment of a substitute

<u>Court No.</u>	<u>Company Name</u>	<u>Liquidator leaving</u>	<u>Liquidator remaining</u>
0056/2012	Titan Group Investment Limited	Stuart Mackellar	Russell Crumpler & Edward Middleton & Patrick Cowley

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Respondents

ORDER



Conyers Dill & Pearman

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