



Neutral citation no. 2015 EWHC 2044(OB)  
Claim No: HQ12X03923

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

BEFORE MASTER KAY Q.C.

B E T W E E N:

CATALYST MANAGERIAL SERVICES

Claimant

-and-

LIBYA AFRICA INVESTMENT PORTFOLIO

Defendant

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ORDER

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UPON hearing Lord Brennan Q.C., Counsel for the Claimant, and Mr. Thomas Sprange Q.C., solicitor advocate for the Defendant on 4<sup>th</sup> December 2014, 17<sup>th</sup> February 2015 and 24<sup>th</sup> March 2015, and upon reading the parties' papers in relation to the Claimant's Application dated 1<sup>st</sup> August 2014 including further written submissions provided by the Defendant on the 31<sup>st</sup> March 2015 and by the Claimant on the 8<sup>th</sup> April 2015

AND WHEREAS the parties have agreed that the English courts have jurisdiction to hear this case

**IT IS ORDERED THAT:**

1. Summary judgment is entered in favour of the Claimant against the Defendant in the sum of US\$15,422,924 plus interest to be assessed by the Court if not agree.
2. The assessment as the appropriate sum claimable in respect of interest is adjourned to a date to be fixed.
3. The Defendant is pay to the Claimant within 28 days the sum of US\$15,422,924.

4. The Defendant's application for permission to appeal this decision is refused for the reason that the Court is not satisfied that the appeal would have a real prospect of success and there is no other compelling reason why the appeal should be heard.
5. Any further application for permission to appeal will be made to a High Court Judge of the Queen's Bench Division. Such application is to be made by 4 pm on the 13<sup>th</sup> of August 2015. Either party may apply to the Commercial Court for an Order transferring such application for the consideration of a Commercial Court Judge.
6. The Defendant's application for stay of execution is refused.
7. The Defendant is to pay to the Claimant the costs of the application in a sum to be subjected to detailed assessment if not agreed.
8. The Defendant is to pay to the Claimant a sum on account of the costs of the application. That sum is to be agreed if possible failing which it will be considered at a hearing to be fixed before the Court.
9. The parties are to attend the Master at 10.25 on the 17<sup>th</sup> July 2015 for the purpose of fixing the hearing referred to in paragraphs 2 and 8 above.

**Dated this 15<sup>th</sup> day of July 2015**