

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND

CHANCERY DIVISION

IN THE MATTER OF THE INSOLVENCY (NI) ORDER 1989

IN THE MATTER OF DEMESNE INVESTMENTS

Between

QUINN FINANCE

First Plaintiff

- and -



IRISH BANK RESOLUTION CORPORATION LIMITED

Second Plaintiff

- and -

QUINN HOTELS PRAHA AS

Third Plaintiff

- and -

LYNDHURST DEVELOPMENT TRADING SA

First Defendant

- and -

DEMESNE INVESTMENTS LIMITED

Second Defendant

- and -

INNISHMORE CONSULTANCY LIMITED

Third Defendant

TAKE NOTICE that this Honourable Court will be moved on the 22 day of February 2012 at
am/pm or as soon thereafter as Counsel can be heard on behalf of the Plaintiff for
the following relief, namely;

1. A Declaration that the first Defendant is in contempt of Court by reason of its failure to comply with an Order of McCloskey J dated the 23rd December 2011;

2. An Order by way of an Injunction restraining the first Defendant from taking any part in these proceedings until the first Defendant has purged its contempt;
3. Alternatively, a Sequestration Order against the first Defendant pursuant to Order 47 of the Rules of the Supreme Court (NI) 1981 and Article 113 of the Judgments Enforcement (Northern Ireland) Order 1981;
4. Alternatively an Order imposing a fine upon the first Defendant by reason of its contempt of Court;
5. A Declaration that Dmytro Zaltsev and O.V. Serpokrylov are in contempt of Court by reason of their failure to comply with an Order of McCloskey J dated 23rd December 2011.
6. An Order pursuant to Order 52 Rule 1(3) of the Rules of the Supreme Court (NI) 1980 that Dymtro Zaltsev and O. V. Serpokrylov be committed by reason of:-
 - i) Their civil contempt of Court;
 - ii) Their aiding and abetting the first Defendant to engage in a civil contempt of Court;
7. Further or other relief as the Court deems appropriate;
8. Costs

Particulars of the Contempt of the first Defendant, Dymtro Zaitsev and O. V. Serpokrylov

The first Defendant, Dymtro Zaitsev and O. V. Serpokrylov each refused to comply with the requirements of an Order of McCloskey J dated the 23rd December 2011 restraining them and each of them from taking any steps to assign, sell or otherwise transfer or deal in any way whatsoever with any of the assigned loan agreements and/or any judgment of any court arising out of the assigned loan agreements ("the Assigned Loans Agreements") described in Appendix 1 to the Order.

The first Defendant, Dymtro Zaitsev and O. V. Serpokrylov were each restrained from seeking to rely upon, demand payment or otherwise enforcing any of the said Assigned Loan Agreements to include seeking to enforce the said Loan Agreements against Public Joint Stock Company Univermag Ukraina or otherwise from receiving payment of any monies pursuant to their terms.

Notwithstanding the terms of the Order on the 23rd December 2011, the first Defendant, Dymtro Zaitsev and O. V. Serpokrylov proceeded to pursue a case No. 35/465 on behalf of the first Defendant against Joint Stock Company Univermag Ukraina relying upon the Assigned Loan Agreements.

The first Defendant, Dymtro Zaitsev and O. V. Serpokrylov sought and obtained a judgment in favour of the first Defendant against Joint Stock Company Univermag Ukraina on the 23rd December 2011 after service of the Injunction upon the first Defendant and further after service of a copy of the Order upon Dymtro Zaitsev and O. V. Serpokrylov when the contents of the Order and its consequences were explained to each of them.

Dated this 27 day of January 2012

Signed: _____

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Solicitors for the Plaintiffs