

Mr Justice Flaux (in public)

DATED 9 SEPTEMBER 2016

B E T W E E N:

JSC BTA BANK

Claimant /
Judgment Creditor

and

ZHAKSYLYK DAYRABAEVICH ZHARIMBETOV

Defendant /
Judgment Debtor

and

SMALAND PROPERTY HOLDINGS INCORPORATED

Registered Proprietor

and

MR MITUL RACH

Occupier

ORDER

UPON the application of the Claimant dated 11 August 2016 (the "**Application**")

AND UPON hearing Counsel for the Claimant and the Defendant and Registered Proprietor not attending or being represented

AND UPON reading the evidence filed

IT IS ORDERED THAT:

1. The Property (as defined in the recitals to the Order of Mr Justice Burton dated 13 November 2015) shall be sold without further reference to the Court and with no minimum sale price (and paragraph 3 of the said Order shall be varied accordingly).
2. Upon the date of the sale of the Property, the judgment debts owed by Mr Zharimbetov to the Claimant shall be reduced by the higher of: (a) the sale price; or (b) the sum of £3,000,000.
3. This Order shall be served on Mr Zharimbetov by delivery of the same to the registered office of Smaland Property Holdings Incorporated. Insofar as necessary, permission be granted to serve this Order on Mr Zharimbetov out of the jurisdiction.
4. Any application under CPR Part 5.4C(2) shall be made on three (3) clear days' notice to the Claimant.

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
COMMERCIAL COURT
Mr Justice Flaux (in public)
Dated 9 September 2016
BETWEEN**

JSC BTA BANK

**Claimant /
Judgment Creditor**

and

ZHAKSYLYK DAYRABAEVICH ZHARIMBETOV

**Defendant /
Judgment Debtor**

and

SMALAND PROPERTY HOLDINGS INCORPORATED

Registered Proprietor

ORDER



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Solicitors for the Claimant/Judgment Creditor