

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

AJW OFFSHORE, LTD., *et al.*,

Debtors in Foreign Proceedings.

Chapter 15

Case Nos.: 13-70078-ast

13-70082-ast

13-70085-ast

13-70087-ast

(Jointly Administered)

**ORDER AUTHORIZING ADDITIONAL RELIEF
PURSUANT TO 11 U.S.C. § 1521**

Petitioners Ian Stokoe and David Walker, both of PwC Corporate Finance & Recovery (Cayman) Limited (the “Petitioners”), the duly appointed foreign representatives of the jointly administered debtors in foreign proceedings, AJW Offshore Ltd., AJW Master Fund, Ltd., AJW Offshore II, Ltd., and AJW Master Fund II, Ltd. (collectively the “Offshore Funds”), having sought through their Verified Petition and related filings additional relief pursuant to 11 U.S.C. § 1521(a)¹ (the “Motion”); and due notice of the Motion having been given; and Bingham McCutchen LLP having filed a limited objection to the Motion (the “Objection”) [dkt item 40]; and Petitioners having filed a reply [dkt item 42]; and a hearing on the Motion having been held before the undersigned on February 20, 2013 (the “Hearing”), and at the Hearing Petitioners withdrew their request for relief under § 1521(a)(1) and (2). For the reasons set forth on the record at the Hearing and in this Court’s Memorandum Opinion issued this same date,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Pursuant to §§ 1521 and 1522, the Motion is granted to the extent set forth herein, and the Objection is hereby overruled.

2. Pursuant to § 1521(a)(4), Petitioners are authorized to conduct discovery, issue subpoenas, examine witnesses, take examinations pursuant to Rule 2004 of the Federal Rules of

¹ Unless otherwise indicated, all statutory references are to title 11 of the United States Code, §§ 101- 1532 (the “Bankruptcy Code”).

Bankruptcy Procedure (the “Bankruptcy Rules”), take evidence, and receive documents and information pursuant to applicable provisions of the title 11 of the United States Code (the “Bankruptcy Code”), the Bankruptcy Rules and the E.D.N.Y. Local Bankruptcy Rules concerning, *inter alia*, the Offshore Funds’ assets, affairs, rights, obligations and liabilities. Petitioners shall make requests for Bankruptcy Rule 2004 examinations by motion with notice to the party or parties against whom such a request is made in accordance with Bankruptcy Rule 2002(a). A hearing shall be held if an objection to the request is filed, or as required by the Court.

3. Pursuant to § 1521(a)(5), Petitioners are entrusted with the administration and realization of all of the Offshore Funds’ assets that are located within the territorial jurisdiction of the United States.

4. Petitioners’ request for relief pursuant to § 1521(a)(6) is moot, as the Court did not grant pre-recognition relief under § 1519(a).

5. Pursuant to §§ 1521(a)(7) and 1522, Petitioners have the right to seek relief pursuant to § 542 or § 543, including the turnover of all of the Debtors’ property or proceeds and books and records from all persons or entities in possession, custody, or control of such property or proceeds or books and records. Petitioners shall make any request for relief under §§ 542 and 543 by motion with notice to the party or parties against whom such a request is made in accordance with Bankruptcy Rule 2002(a). A hearing shall be held if an objection to the request is filed, or as may be required by the Court.

6. The provisions of § 1510 shall continue in effect.

7. All relief granted herein pursuant to § 1521 may be modified or conditioned pursuant to § 1522.

8. Service of this Order shall be given to the Original Notice Parties and the Additional Relief Parties (as defined in the Order Specifying Manner of Notice on Additional Relief [dk item 35]) by mail or, in the case of Corey Ribotsky, by email, on or before **March 25, 2013**.

9. Petitioners will publish this Order on the Offshore Funds' public website: <http://www.ajw-group-liquidation.com/>, on or before **March 25, 2013**, and will further cause emails to be sent to the Offshore Funds' registered stakeholders and the members of the Offshore Funds' liquidation committee, alerting them that this Order is available on such website.


10. Such service shall be good and sufficient service and adequate notice of this Order for all purposes.

11. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

12. This Court shall retain jurisdiction with respect to the enforcement, amendment or modification of this Order, any requests for additional relief or any adversary proceeding brought in and through these Chapter 15 cases, and any request by any person or entity for relief from the provisions of this Order.

Dated: March 19, 2013
Central Islip, New York





Alan S. Trust
United States Bankruptcy Judge