

Court File No.: CV-19-00611984-0000

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

THE HONOURABLE *Her.*
JUSTICE *Penny*

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TUESDAY, THE 8TH
DAY OF JANUARY, 2019

B E T W E E N:

RETROCHEMICAL COMMERCIAL COMPANY INTERNATIONAL LTD,
PCCI LTD and NAVAK ASIA KISH TRADING CO (PJS)

Applicants

- and -

NEXUS MANAGEMENT GROUP SDN BHD,
ASIAN TRADE INVESTMENT BANK LTD, MEHDI EBRAHIMIESHRATABADI (aka
MIKE ROBERTSON aka MIKE ROBINSON aka TONY NEWMAN),
MALEKSABET EBRAHIMI, OMID LTD, ATIB LTD, 5M INVESTMENT HOLDING
LTD, KHADIJEH TAGHAVI SABZEVARI, MOHAMMAD EBRAHIMIESHRATABADI
(aka EMANUELE EBRAHIMI), MEHRANEH EBRAHIMI ESHRATABADI, AMIR
KARGAR NEGHBAB, ALI VASHAEE, 5M CAPITAL INVESTMENT PTY LTD,
5M CAPITAL INVESTMENT PTY LTD, 5M INVESTMENT LTD,
MEDIVILLE INVESTMENTS LTD, GLOBAL NEWMAN PTY LTD,
HORIZON INVESTMENT HOLDING LTD, EBM CORPORATION,
IMBS SDN BHD and MPO LTD

Respondents

ORDER

NOTICE

If you, the Respondents, disobey this order you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized. You are entitled to apply on at least twenty-four (24) hours notice to the Applicants, for an order granting you sufficient funds for ordinary living expenses and legal advice and representation.

Any other person who knows of this order and does anything which helps or permits the Respondents to breach the terms of this Order may also be held to be in contempt of court and may be imprisoned, fined or have their assets seized.

THIS MOTION, made without notice by the Applicants, Petrochemical Commercial Company International Ltd, PCCI Ltd and Navak Asia Kish Trading Co (PJS), for an interim Order in the form of a *Mareva* injunction restraining the Respondents, Nexus Management Group Sdn Bhd, Asian Trade Investment Bank Ltd, Mehdi Ebrahimieshratabadi (aka Mike Robertson aka Mike Robinson aka Tony Newman), Maleksabet Ebrahimi, Omid Ltd, ATIB Ltd, 5M Investment Holding Ltd, Khadijeh Taghavi Sabzevari, Mohammad Ebrahimieshratabadi (aka Emanuele Ebrahimi), Mehraneh Ebrahimi Estratabadi, Amir Kargar Neghab, Ali Vashae, 5M Capital Investment Pty Ltd, 5M Capital Investment Pty Ltd, 5M Investment Ltd, Mediville Investments Ltd, Global Newman Pty Ltd, Horizon Investment Holding Ltd, EBM Corporation, IMBS Sdn Bhd, and MPO Ltd, from dissipating their assets and other relief, was heard this day at the courthouse at 330 University Avenue, Toronto, Ontario.

ON READING the Affidavit of Kamal Zangeneh affirmed January 2, 2019, on hearing the submissions of counsel for the Applicants, and on noting the undertaking of the Applicants to abide by any Order this Court may make concerning damages arising from the granting and enforcement of this Order,

Mareva Injunction

1. **THIS COURT ORDERS** that the Respondents, and their servants, employees, agents, assigns, officers, directors and anyone else acting on their behalf or in conjunction with any of them, and any and all persons with notice of this injunction, are restrained from directly or indirectly, by any means whatsoever:

- (a) selling, removing, dissipating, alienating, transferring, assigning, encumbering, or similarly dealing with any assets of the Respondents, wherever situate in Canada, including but not limited to the assets and accounts listed in Schedule "A" hereto;
- (b) instructing, requesting, counselling, demanding, or encouraging any other person to do so; and

- (c) facilitating, assisting in, aiding, abetting, or participating in any acts the effect of which is to do so.

2. **THIS COURT ORDERS** that paragraph 1 applies to all of the Respondents' assets whether or not they are in his, her or its own name and whether they are solely or jointly owned. For the purpose of this order, the Respondents' assets include any asset which he, she or it has the power, directly or indirectly, to dispose of or deal with as if it were his, her or its own. The Respondents are to be regarded as having such power if a third party holds or controls the assets in accordance with his, her or its direct or indirect instructions.

3. **THIS COURT ORDERS** that if the total value free of charges or other securities of the Respondents' assets in Canada exceeds US\$71,754,083.04, the Respondents may sell, remove, dissipate, alienate, transfer, assign, encumber, or similarly deal with them so long as the total unencumbered value of the Respondents' assets in Canada remains above US\$71,754,083.04.

Ordinary Living Expenses

4. **THIS COURT ORDERS** that the Respondents may apply for an order, on at least twenty-four (24) hours notice to the Applicants, specifying the amount of funds which the Respondents are entitled to spend on ordinary living expenses and legal advice and representation.

Disclosure of Information

5. **THIS COURT ORDERS** that each of the Respondents or, as applicable, their authorized representatives, prepare and provide to the Applicants within ten (10) days of the date of service of this Order, a sworn statement describing the nature, value, and location of his, her or its assets in Canada, whether in his/her/its own name or not and whether solely or jointly owned, and including any assets held in trust for the Respondents.

6. **THIS COURT ORDERS** that each of the Respondents or, as applicable, their authorized representatives, submit to examinations under oath within five (5) days of the delivery by the Respondents of the aforementioned sworn statements. Each Respondent shall bring to the

examination all original books, records and other documents relating to all financial affairs and assets of the Respondents.

7. **THIS COURT ORDERS** that if the provision of any of this information is likely to incriminate a Respondent, he, she or it (as applicable) may be entitled to refuse to provide it, but is recommended to take legal advice before refusing to provide the information. Wrongful refusal to provide the information referred to in paragraph 5 herein is contempt of court and may render the Respondent liable to be imprisoned, fined, or have his, her or its (as applicable) assets seized.

Third Parties

8. **THIS COURT ORDERS** Royal Bank of Canada, The Toronto-Dominion Bank and Bank of Montreal (the “Banks”) to forthwith freeze and prevent any removal or transfer of monies or assets of the Respondents held in any account or on credit on behalf of the Respondents with the Banks until further Order of the Court, including but not limited to the accounts listed in Schedule “A” hereto.

9. **THIS COURT ORDERS** that the Banks forthwith disclose and deliver up to the Applicants any and all records held by the Banks concerning the Respondents’ assets and accounts, including the existence, nature, value and location of any monies or assets or credit, wherever situate in Canada, held on behalf of any of the Respondents by the Banks.

Alternative Payment of Security into Court

10. **THIS COURT ORDERS** that this Order will cease to have effect if the Respondents provide security by paying the sum of US\$71,754,083.04 into Court, and the Accountant of the Superior Court of Justice is hereby directed to accept such payment.

Variation, Discharge or Extension of Order

11. **THIS COURT ORDERS** that anyone served with or notified of this Order may apply to the Court at any time to vary or discharge this order, on four (4) days notice to the Applicants.

12. **THIS COURT ORDERS** that the Applicants shall apply for an extension of this Order within ten (10) days hereof, failing which this Order will terminate.

13. **THIS COURT ORDERS** that all motions or applications to vary, extend or discharge this Order, or arising out of the issuance or enforcement of this Order, shall be heard by the Judge who issued this Order (the "Judge") with the exception of:

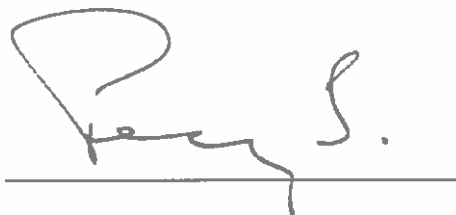
- (a) urgent matters for which the Judge is not available; or
- (b) as otherwise directed by the Judge.

Service of Materials

14. **THIS COURT ORDERS** that the Applicants may serve the Notice of Application, Motion Record, and this Order upon the Respondents by courier and/or hand delivery to the addresses listed in Schedule "B" hereto.

15. **THIS COURT ORDERS** the Applicants shall be at liberty to serve subsequent notices, pleadings, orders, and other documents arising out of this Application upon the Respondents in either manner described in paragraph 14, and service so effected shall constitute good and sufficient service.

16. **THIS COURT ORDERS THAT** service by hand delivery shall be effective on the day it is delivered and service by courier shall be effective five (5) days after copies of the documents are sent by courier to the addresses listed in Schedule "B" hereto.



ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

JAN 08 2019

PER / PAR: RW

SCHEDULE "A"

BANK ACCOUNTS			
BANK	ADDRESS	ACCOUNT HOLDER	ACCOUNT NO.
Bank of Montreal		Maleksabet Ebrahimi	3950391
Bank of Montreal		Mohammad Ebrahimeshratabadi (Aka Emanuele Ebrahimi)	3992689
Bank of Montreal		Mehraneh Ebrahimi Eshratabadi	3991464
Bank of Montreal	101 Fanshawe Park Rd East London, ON N5X 3V9	Amir Kargar Neghab	4778108
Bank of Montreal		Ali Vashae	0460808
Bank of Montreal		Mediville Investments Ltd	24894765488
Royal Bank of Canada	2665 Rue King Ouest, Suite 101 Sherbrooke, QC J1L 2G5	Ali Vashae	4517843
TD Canada Trust	1663 Richmond Street London, ON N6G 2N3	Amir Kargar Neghab	78697145129

REAL PROPERTY		
MUNICIPAL ADDRESS	PROPERTY PIN	LEGAL DESCRIPTION
199 Mullen Drive Vaughan, ON L4J 2V8	03244-0089 (LT)	PCL 202-1, SEC M1925; LT 202, PL M1925; CITY OF VAUGHAN
7191 Yonge Street, Unit 309 Thornhill, ON L4J 1V8	29816-0053 (LT)	UNIT 9, LEVEL 3, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1285 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR2286871; CITY OF MARKHAM
22A Avonlea Place Richmond Hill, ON L4B 3N8	03116-0066 (LT)	PCL 6-1, SEC 65M2791; LT 6, PL 65M2791; RICHMOND HILL

SCHEDULE "B"

NEXUS MANAGEMENT GROUP SDN BHD

Level 13A, Menara Park, Block D
Megan Avenue II, No. 12, Jalan Yap Kwan Seng
Kuala Lumpur, Malaysia 50450

ASIAN TRADE INVESTMENT BANK LTD

U0509, 3rd Floor, Lazena Commercial Centre, Phase 2, Jalan Tuan Mustapha
Labuan, Malaysia 87008

MEHDI EBRAHIMIESHRATABADI (aka MIKE ROBERTSON aka MIKE ROBINSON)

Unit 1, No. 1, Sarv 4 Alley, Aghaghia Street, Janat-abad Shomali
Tehran, Iran

MALEKSABET EBRAHIMI

38 Sycamore Drive
Thornhill, ON L3T 5V6

OMID LTD

Level 2, Lot 19, Lazenda Commercial Centre, Phase 3
Labuan, Malaysia 87008

ATIB LTD

Lot 2(A), Level 4, Wisma Lazenda, Jalan Kemajuan
Labuan, Malaysia 87000

5M INVESTMENT HOLDING LTD

Level 3, Lot 19, Lazenda Commercial Centre, Phase 3
Labuan, Malaysia 87008

KHADIJEH TAGHAVI SABZEVARI

38 Sycamore Drive
Thornhill, ON L3T 5V6

MOHAMMAD EBRAHIMIESHRATABADI (aka EMANUELE EBRAHIMI)

199 Mullen Drive
Thornhill, ON L4J 2V8

MEHRANEH EBRAHIMI ESHRATABADI

38 Sycamore Drive
Thornhill, ON L3T 5V6

AMIR KARGAR NEGHBAB

38 Sycamore Drive
Thornhill, ON L3T 5V6

ALI VASHAEE

2755 Rue Galt Ouest, Apt. 205
Sherbrooke, QC J1K 2Z2

5M CAPITAL INVESTMENT PTY LTD

7191 Yonge St, Suite 309
Thornhill, ON L3T 0C4

5M CAPITAL INVESTMENT PTY LTD

Suite 203, 189 Queen Street
Melbourne, VIC 3000, Australia

5M INVESTMENT LTD

Patron 10, 6051
Larnaca, Cyprus

MEDIVILLE INVESTMENTS LTD

115 Faneromenis Street, Antouanettas Building, 6031
Larnaca, Cyprus

GLOBAL NEWMAN PTY LTD

Exchange Tower, Level 1, 530 Little Collins Street
Melbourne, VIC 3000, Australia
P.O. Box 282, Ormond, VIC 3204, Australia

HORIZON INVESTMENT HOLDING LTD

Lot 2(A), Level 4, Wisma Lazenda, Jalan Kemajuan
Labuan, Malaysia 87000

EBM CORPORATION

IMBS SDN BHD

Lot 9.00C, 9th Floor, Box No. 641
Wisma Central, Jalan Ampang
Kuala Lumpur, Malaysia 50450

MPO LTD

Unit 3A-25, U0350, 3rd Floor, Labuan Times Square, Jalan Merdeka
Labuan, Malaysia 87007

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BHD et al.
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(COMMERCIAL LIST)**

Proceeding commenced at TORONTO

ORDER

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