

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION



Cause No. FSD 36 of 2022 (RPJ)

BETWEEN:

THE FAMILY (GLOBAL GODFATHERS) SPC  
(on its own behalf and on behalf of THE FAMILY (FREYA) SP  
and THE FAMILY (ODIN) SP)

Plaintiff

-and-

1. OUSSAMA AMMAR
2. FABULEO LIMITED
3. ALETHEIS, THE FIRST LIMITED

Defendants

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**ORDER**

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**PENAL NOTICE**

**IF YOU OUSSAMA AMMAR AND / OR FABULEO LIMITED AND / OR ALETHEIS, THE FIRST LIMITED DISOBEY THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.**

**ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANT(S) 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.**



**UPON HEARING** Counsel for the Plaintiff and the Defendants being on notice but not appearing

**IT IS ORDERED THAT:**

**THIS ORDER**

1. This is a Freezing Injunction made against Oussama Ammar, Fabuleo Limited and Alethis, The First Limited ('the Defendants') on 15 March 2022 by the Honourable Justice Parker on the application of The Family (Global Godfathers) SPC ('the Plaintiff'). The Judge read the Affidavits listed in Schedule A and accepted the undertakings set out in Schedule B at the end of this Order.
2. This order was made at an ex parte hearing on notice to the Defendants. The Defendants have a right to apply to the court to vary or discharge the order – see paragraph 13 below.
3. There will be a further hearing in respect of this order to be fixed upon the application of the Defendant(s).
4. Unless otherwise stated, references in this order to 'the Defendant' shall mean all of the Defendants named above; and this order is effective against any Defendant on whom it is served or who is given notice of it.

**FREEZING INJUNCTION**

5. Until the return date or further order of the court, the Defendant must not –
  - (a) remove from the Cayman Islands any of his assets which are in the Cayman Islands up to the value of € 3,052,864.00; or
  - (2) in any way dispose of, deal with or diminish the value of any of his assets whether they are in or outside the Cayman Islands up to the same value.
6. Paragraph 5 applies to all the Defendant's assets whether or not they are in his own name and whether they are solely or jointly owned. For the purpose of this order the Defendant's assets include any asset which he has the power, directly or indirectly, to dispose of or deal with as if it were his own. The Defendant is to be regarded as having such power if a third party holds or controls the asset in accordance with his direct or indirect instructions.
7. This prohibition includes the following assets in particular, but is not limited to –



- (a) the property set out at Appendix A
  - (b) any money standing to the credit of any bank account including the amount of any cheque drawn on such account which has not been cleared.
8. (1) If the total value free of charges or other securities ('unencumbered value') of the Defendant's assets in the Cayman Islands exceeds € 3,052,864.00, the Defendant may remove any of those assets from the Cayman Islands or may dispose of or deal with them so long as the total unencumbered value of his assets still in the Cayman Islands remains above € 3,052,864.00.
- (2) If the total unencumbered value of the Defendant's assets in the Cayman Islands does not exceed € 3,052,864.00, the Defendant must not remove any of those assets from the Cayman Islands and must not dispose of or deal with any of them. If the Defendant has other assets outside the Cayman Islands, he may dispose of or deal with those assets outside Cayman Islands so long as the total unencumbered value of all his assets whether in or outside the Cayman Islands remains above € 3,052,864.00 .

#### **PROVISION OF INFORMATION**

9. (1) Unless paragraph (2) applies, the Defendant must within 24 hours of service of this order and to the best of his ability inform the Plaintiff's attorneys of all his assets worldwide whether in his own name or not and whether solely or jointly owned, giving the value, location and details of all such assets.
- (2) If the provision of any of this information is likely to incriminate the Defendant, he 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 is contempt of court and may render the Defendant liable to be imprisoned, fined or have his assets seized.
10. Within 3 working days after being served with this order, the Defendant must swear and serve on the Plaintiff's attorneys an affidavit setting out the above information.

#### **EXCEPTIONS TO THIS ORDER**

11. (1) This order does not prohibit the Defendant from spending € 1,000.00 a week towards his ordinary living expenses and also USD 10,000.00 on legal advice and representation. But before spending any money the Defendant must tell the Plaintiff's legal representatives where the money is to come from.



(2) This order does not prohibit the Defendant from dealing with or disposing of any of his assets in the ordinary and proper course of business.

(3) The Defendant may agree with the Plaintiff's legal representatives that the above spending limits should be increased or that this order should be varied in any other respect, but any agreement must be in writing.

(4) The order will cease to have effect if the Defendant –

(a) provides security by paying the sum of € 3,052,864.00 into court, to be held to the order of the court; or

(b) makes provision for security in that sum by another method agreed with the Plaintiff's legal representatives.

## **COSTS**

12. The costs of this application are reserved to the judge hearing the application on the return date.

## **VARIATION OR DISCHARGE OF THIS ORDER**

13. Anyone served with or notified of this order may apply to the court at any time to vary or discharge this order (or so much of it as affects that person), but they must first inform the Plaintiff's attorneys. If any evidence is to be relied upon in support of the application, the substance of it must be communicated in writing to the Plaintiff's attorneys in advance.

## **INTERPRETATION OF THIS ORDER**

14. A Defendant who is a natural individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

15. A Defendant which is not a natural individual which is ordered not to do something must not do it itself or by its directors, officers, partners, employees or agents or in any other way.



## **PARTIES OTHER THAN THE PLAINTIFF AND DEFENDANT**

16. **Effect of this order:** It is a contempt of court for any person notified of this order knowingly to assist in or permit a breach of this order. Any person doing so may be imprisoned, fined or have their assets seized.

17. **Set off by banks:** This injunction does not prevent any bank from exercising any right of set off it may have in respect of any facility which it gave to the Defendant before it was notified of this order.

18. **Withdrawals by the Defendant:** No bank need enquire as to the application or proposed application of any money withdrawn by the Defendant if the withdrawal appears to be permitted by this order.

### **19. Persons outside the Cayman Islands:**

(1) Except as provided in paragraph (2) below, the terms of this order do not affect or concern anyone outside the jurisdiction of this court.

(2) The terms of this order will affect the following persons in a country or state outside the jurisdiction of this court –

(a) the Defendant or his officer or agent appointed by power of attorney;

(b) any person who –

(i) is subject to the jurisdiction of this court;

(ii) has been given written notice of this order at his residence or place of business within the jurisdiction of this court; and

(iii) is able to prevent acts or omissions outside the jurisdiction of this court which constitute or assist in a breach of the terms of this order; and

(c) another person, only to the extent that this order is declared enforceable by or is enforced by a court in that country or state.

20. **Assets located outside the Cayman Islands:** Nothing in this order shall, in respect of assets located outside the Cayman Islands, prevent any third party from complying with –

(1) what it reasonably believes to be its obligations, contractual or otherwise, under the laws and obligations of the country or state in which those assets are situated or under the proper law of any contract between itself and the Defendant; and

(2) any orders of the courts of that country or state, provided that reasonable notice of any application for such an order is given to the Plaintiff's attorneys.



## **COMMUNICATIONS WITH THE COURT**

All communications to the court about this order should be sent to –

The Financial Services Division, Kirk House, 22 Albert Panton St, George Town, Grand Cayman, Cayman Islands, referencing cause number 36 of 2022.

### **SCHEDULE A**

#### **AFFIDAVITS**

The Plaintiff relied on the following affidavits–

- (a) First Affidavit of Alice Zagury, signed on 21 February 2022;
- (b) Second Affidavit of Alice Zagury, sworn on 9 March 2022.

### **SCHEDULE B**

#### **UNDERTAKINGS GIVEN TO THE COURT BY THE PLAINTIFF**

(1) If the court later finds that this order has caused loss to the Defendant, and decides that the Defendant should be compensated for that loss, the Plaintiff will comply with any order the court may make and the Plaintiff gives a cross-undertaking in the amount of USD 25,000.00.

(2) As soon as practicable the Plaintiff will issue and serve a Writ and Statement of Claim in the form produced to the court claiming the appropriate relief, subject to paragraph 21 below.

(3) The Plaintiff will serve upon the Defendant together with this order–

- (i) copies of the affidavits and exhibits containing the evidence relied upon by the Plaintiff, and any other documents provided to the court on the making of the application;
- (ii) the Writ and Statement of Claim.

(6) Anyone notified of this order will be given a copy of it by the Plaintiff's attorneys.

(7) The Plaintiff will pay the reasonable costs of anyone other than the Defendant which have been incurred as a result of this order including the costs of finding out whether that person holds any of the Defendant's assets and if the court later finds that this order has caused such person loss, and decides that such person should be compensated for that loss, the Plaintiff will comply with any order the court may make.

(8) If this order ceases to have effect (for example, if the Defendant provides security or the Plaintiff does not provide a bank guarantee as provided for above) the Plaintiff will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this order, or who he has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.

**NAME AND ADDRESS OF PLAINTIFF'S LEGAL REPRESENTATIVES**

The Plaintiff's legal representatives are –

Dentons, 3<sup>rd</sup> Floor, One Capital PI, Shedden Road, George Town, Grand Cayman, Cayman Islands, tel: +1 345 745 5000 (out of hours +1 345 745 5007), email [michael.wingrave@dentons.com](mailto:michael.wingrave@dentons.com)

**AND IT IS FURTHER ORDERED THAT:**

21. That the Plaintiff be permitted to serve the proceedings upon the Defendants outside the jurisdiction as follows:

- a. Upon the First Defendant, pursuant to Grand Court Rules O.11, r.1(1)(d)(iii) and/or 1(1)(e) and/or 1(1)(ff) at 67 Rue de Miromesnil, 75008, Paris, France and / or personally and / or by email to [oussama@fabuleo.com](mailto:oussama@fabuleo.com).
- b. Upon the Second and / or Third Defendant, pursuant to Grand Court Rules O.11, r1(1)(c) at Unit 1105, 11/F Regent Centre, 88 Queen's Road Central, Hong Kong and / or by email to [oussama@fabuleo.com](mailto:oussama@fabuleo.com) and 2003, 20F, Tower 5, 33 Canton Road, Kowloon, Hong Kong and / or by email to [oussama@aletheis.com](mailto:oussama@aletheis.com), respectively;
- c. Upon the First and / or Second Defendant by email to [simonwinter@charlesfussell.com](mailto:simonwinter@charlesfussell.com).

DATED this 15<sup>th</sup> day of March 2022

FILED this 16<sup>th</sup> day of March 2022

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**THE HON. JUSTICE PARKER  
JUDGE OF THE GRAND COURT**

**HIS ORDER** is filed by Dentons, the attorneys for the plaintiff, whose address for service is that of its said attorneys, 3<sup>rd</sup> Floor, One Capital PI, Shedden Road, George Town, Grand Cayman, Cayman Islands.

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## APPENDIX A

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Shares or other interests in the following entities, whether directly or indirectly:

- Fabuleo Limited, Hong Kong
- Aletheis, The First Limited, Hong Kong
- So Shape, France
- Healthcube, France
- Side, France
- Northflank, Cayman Islands
- Doctrine, France
- Dark, United Kingdom
- Trusk, France
- Totem, France
- Le Petit Manoir, France
- Le Domaine d'Ablon, France
- Cassius Family LP, Fund I, USA
- Starchain Capital, USA
- Oolu, USA
- MUDWTR, USA
- 0(1) Labs
- The Family (Holdings) Ltd, United Kingdom
- The Family (Holdings) Ltd (Foundation) , United Kingdom
- The Family (Holdings) Ltd (A) , United Kingdom
- The Family (Holdings) Ltd (B) , United Kingdom
- The Family (Holdings) Ltd (C) , United Kingdom
- The Family (Fellowship) LLP (Founder Pool) , United Kingdom
- The Family (Fellowship) LLP (Legendary Pool) , United Kingdom
- The Family (Fellowship) LLP (2017 Pool) , United Kingdom
- The Family (Fellowship) LLP (2018 Pool) , United Kingdom
- The Family (Fellowship) LLP (2019 Pool) , United Kingdom



- Inqom (ex-Fred de la Compta) , France
- Comet, France
- Stanley Robotics, France
- Sortly, USA
- Docker, USA
- The Pick & Shovels Co, USA
- Hiresweet, France
- Four Growers, USA
- Sourceress, USA
- Wisp, USA
- Odys Aviation, USA
- SalaryBook, India
- Unsupervised, USA