

TELECONFERENCE
ANTIGUA AND BARBUDA
Tuesday, 22nd December 2015

APPLICATION AND APPEAL

Case Name: **AOB Holdings Limited**
v
Financial Services Regulatory Commission

[ANUHCVAP2015/0038]
(Antigua and Barbuda)

Before: **The Hon. Mr. Mario Michel, Justice of Appeal**

Appearances:

Applicant:	Sir Richard Cheltenham, KA, QC, PhD, with him, Ms. Shelly-Ann Seecharan and Ms. Jacqueline Walwyn
Respondent:	Ms. Eleanor Solomon, with her, Ms. Jasmine Wade
Interested party:	Mr. Kendrick Kentish, with him, Ms. Kathleen Bennett for the Receiver-Manager of Antigua Overseas Bank (In Receivership)

Issues: **Application for leave to appeal – Application for stay of execution – Application for receiver-manager to be added as a party or heard as an interested party**

Result / Order: **[Oral delivery]**

- 1. The application made by the receiver-manager of Antigua Overseas Bank (In Receivership) on 7th December 2015 to be added as a party or to be heard as an interested party in these proceedings is hereby granted so that the receiver-manager of Antigua Overseas Bank (In Receivership) shall be added as the second respondent in the appeal.**
- 2. Leave is granted to the applicant, AOB Holdings Limited, to file and serve an affidavit in response to the affidavit of the receiver-manager of Antigua Overseas Bank (In Receivership) by 10:00 am on**

Monday, 28th December 2015. Service of the aforesaid affidavit to be effected by electronic means and hard copy.

- 3. Hearing of the application for leave to appeal and stay of execution is set for 10:00 am Wednesday, 30th December 2015 via teleconference.**

Reasons:

In relation to the application by the receiver-manager of Antigua Overseas Bank (In Receivership) to be added as a party or heard as an interested party, there was no opposition by AOB Holdings Limited to the application.

In relation to the application for leave to appeal and stay of execution, counsel for the applicant, AOB Holdings Limited only had sight of an affidavit of the receiver-manager of Antigua Overseas Bank (In Receivership) on the morning of the inter partes hearing, the affidavit having been filed and served the previous day. Counsel therefore requested an adjournment of the hearing to have an opportunity to peruse the affidavit and file an affidavit in response. The Court, having heard from all the parties, granted the request for an adjournment and granted leave to AOB Holdings Limited to file an affidavit in response.