

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: :   
: Chapter 15  
TRADE AND COMMERCE BANK (IN LIQUIDATION) :   
: Case No. 05-60279 (SMB)  
Debtor, :   
:   
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**ORDER APPROVING NOTICE PROVISIONS  
AND SETTING HEARING DATE ON APPLICATION  
FOR RECOGNITION OF FOREIGN MAIN PROCEEDING**

Upon the Application and Verified Petition (the “Chapter 15 Petition”) seeking recognition and related relief pursuant to Chapter 15 of the Bankruptcy Code, of a foreign proceeding, pending in the Grand Court of the Cayman Islands (the “Cayman Grand Court”), filed December 21, 2005, by Richard Fogerty (the “Petitioner”), as Joint Official Liquidator of Trade and Commerce Bank (in Liquidation) (“TCB”); and the Affirmation of Alistair Walters, filed in support of the Chapter 15 Petition; and upon the request of the Petitioner that a Hearing Date be set and that procedures for notice and service be approved by this Court; and after due deliberation and sufficient cause appearing therefore, it is hereby

ORDERED, that a hearing on the Chapter 15 Petition shall be held on **February 7, 2006 at 10:00 a.m.**; and it is further

ORDERED, that the form of the Notice of Filing and Hearing (the “Notice”), attached as Exhibit A to this Order,<sup>1</sup> is hereby approved **SMB 1/9/06 to the extent consistent with this Order**, and it is further

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<sup>1</sup> A copy of the Notice was annexed to the Petition as Exhibit L.

ORDERED that Petitioner shall serve a copy of the Notice, with copies of the Chapter 15 Petition and its exhibits, and the Walters Affirmation, by first class U.S. Mail upon **SMB 1/9/06 the debtor, all administrators in foreign proceedings of the debtor**, the Office of the United States Trustee, and upon each of the members of the Committee of Creditors and, within three (3) days from the date of entry hereof, Petitioner also shall post the same documents on the official website of the Joint Official Liquidators of TCB, <http://www.tcbliquidation.ky>; and it is further

ORDERED, that such service shall be good and sufficient service and adequate notice for all purposes.

Dated: New York, New York  
**January 9, 2006**

/s/ STUART M. BERNSTEIN  
STUART M. BERNSTEIN  
CHIEF UNITED STATES BANKRUPTCY JUDGE