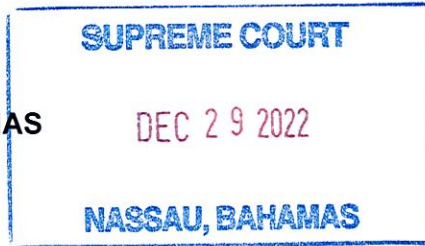


COMMONWEALTH OF THE BAHAMAS
IN THE SUPREME COURT
COMMERCIAL DIVISION



2022/COM/com

IN THE MATTER OF the Digital Assets and Registered Exchanges Act, 2020
(as amended)

AND IN THE MATTER OF FTX DIGITAL MARKETS LTD.
(A Registered Digital Asset Business)

SECURITIES COMMISSION OF THE BAHAMAS

Plaintiff

AND

FTX DIGITAL MARKETS LTD.

Defendant

ORDER

(On Application For Directions On US Debtors' Information Request)

Before The Honourable Chief Justice Ian R. Winder

Dated the 29th day of December, A.D., 2022

UPON THE APPLICATION of Securities Commission of The Bahamas, the Plaintiff herein, made by Summons dated 23rd December and filed herein on 29th December, 2022.

AND UPON HEARING Mr. Robert K. Adams, KC and Mr. Edward J. Marshall II of Counsel for Securities Commission of The Bahamas, and Mrs. Sophia T. Rolle-Kapousouzoglou with Mr. Valdere J. Murphy of Counsel for the Joint Provisional Liquidators of FTX Digital Markets Ltd, on behalf of the Defendant herein.

AND UPON READING the Third Affidavit of Christina R. Rolle sworn on 28th December and filed herein on 29th December, 2022.

IT IS HEREBY DECLARED AND DIRECTED THAT the co-operative power vested in the Securities Commission of The Bahamas under section 41 of The Digital Assets and Registered Exchanges Act, 2022, as amended (“the DARE Act”) enables the Securities Commission of The Bahamas to lawfully provide assistance to a domestic regulatory authority or overseas regulatory authority, or, its designated third party, as defined in section 41 (10) of the DARE Act

AND IT IS FURTHER ORDERED AND DIRECTED THAT the Securities Commission of The Bahamas may only lawfully provide assistance to the Debtors or their representatives in the pending US Chapter 11 bankruptcy proceedings; namely, *In re FTX Trading Ltd et al, Case No. 22-11068 (JTD) In The United States Bankruptcy Court For The District of Delaware*, including providing to the Debtors information respecting the digital assets being held in secure digital wallets established by, and under the control of, the Securities Commission (“the Digital Assets”) in the event said Debtors or their representatives qualify as an ‘overseas regulatory authority’ or ‘its designated third party’ as defined in section 41 (10) of the DARE Act **PROVIDED HOWEVER**, nothing in this Order is intended to prohibit or restrict the Joint Provisional Liquidators of FTX Digital Markets Ltd from cooperating with, or providing information to, the Debtors or their representatives, upon such further order of this Court as the JPLs may wish to seek and on term(s) and condition(s) that (i) continue to fully preserve confidentiality, and any legal professional or other privilege applicable to communications, with respect to the security of the Digital Assets and (ii) do not in any way impair, or impede, the due exercise of the Securities Commission’s regulatory function, duties and powers under the law.

AND FOR AN ORDER THAT the costs of this application are hereby reserved.

BY ORDER OF THE COURT

REGISTRAR

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Plaintiff**

AND

**FTX DIGITAL MARKETS LTD.
Defendant**

ORDER

*(On Application For Directions On US Debtors'
Information Request)*

2022/COM/com


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