

In the Commonwealth of The Bahamas  
In the Supreme Court  
Common Law and Equity Division

**Claim No.01620 of 2014 and Claim No.01451 of 2015**

(Actions consolidated by Order of the Judge dated 4 November 2015, as amended under Rules 19.2(1) and 19.2(2) of the Civil Procedure Rules, 2022 (CPR))

In the Matter of the Securities Industry Act, 2011.

In the Matter of the Companies Act, 1992, as amended by the Companies (Winding-Up Amendment) Act, 2011.

In the Matter of the Fraudulent Dispositions Act, 1991.

In the Matter of the Penal Code, 1927.

Between:

**JUNKANOO ESTATES LTD,  
YURI STAROSTENKO,  
IRINA TSAREVA-STAROSTENKO,**

Claimants,

And

**UBS (BAHAMAS) LDT (IN VOLUNTARY LIQUIDATION),  
UBS AG (A SWISS BROKER),  
KEVIN LEE PRICE,  
THIBAUD HALEWYCK,  
GEORGE MAILLIS,  
MARCO TURNQUEST,**

Defendants.

**AFFIDAVIT — SERVICE OF THE CLAIM FORM AND STATEMENT OF CLAIM ON  
THE DEFENDANT UBS AG (A SWISS BROKER) (CPR Rule 12.4(a)) — DEFAULT TO  
FILE AN ACKNOWLEDGMENT OF SERVICE (CPR Rule 12.4(b)(i))**

1. This is an Affidavit of Service outlining compliance with the conditions of **CPR Rule 12.4** as to evidence to be filed proving service of the claim form and statement of claim on the Defendant **UBS AG (A SWISS BROKER) (CPR Rule 12.4(a))** and that the Defendant **UBS AG (A SWISS BROKER)** has not filed an acknowledgement of service (**CPR Rule 12.4(b)(i)**).
2. I, Irina Tsareva-Starostenko, of the Western District of the New Providence Island, one of the Islands of the Commonwealth of The Bahamas, one of the above Claimants, depose hereto.

**Evidence of Service**

3. The relevant facts showing the service of the claim form and statement of claim on the Defendant **UBS AG (A SWISS BROKER)** are, as follows:

- a. On **22 January 2024**, the Defendant UBS AG (A SWISS BROKER) was registered under the Companies Act, 1992,<sup>1</sup> as a foreign company. A copy of the UBS AG Certificate of Registration under **Section 174(1) of the Companies Act, 1992** dated **22 January 2024**, is now produced and shown to me, marked as '**Exhibit 1**'.
- b. According to Company Profile from the Registrar General's Department the Defendant UBS AG (A SWISS BROKER) has:
  - i. (a)Registered Agent, CREDIT SUISSE, NASSAU BRANCH-WEALTH MGT., with Agent Number: 1014 and Agent Address: 4th Fl Bahamas Financial Centre, P.O. Box N-4801, Nassau, Bahamas; and
  - ii. (b)Registered Office: 4th Fl Bahamas Financial Centre, P.O. Box N-4301, Nassau, Bahamas.

A copy of the UBS AG Company Profile from the Registrar General's Department is now produced and shown to me, marked as '**Exhibit 2**'.

- c. On **28 February 2024**, at **12:23 PM**, I, accompanied by another Claimant Yuri Starostenko, served on the Defendant UBS AG (A SWISS BROKER) the Standard Claim Form (Amended) in Form G3 issued under **CPR Rules 8.1(1)(a) and 8.1(5)**, dated **19 February 2024** and e-filed **21 February 2024** for the case 2015/CLE/GEN/1451, Junkanoo Estates Ltd et al. v. UBS (BAHAMAS) LTD (IN VOLUNTARY LIQUIDATION) et al., and the Statement of Claim, filed **14 November 2017**, "*by leaving the same*"<sup>2</sup> at the Defendant UBS AG (A SWISS BROKER)'s Registered Office at 4th Floor, Bahamas Financial Centre, Nassau, Bahamas, namely, inside the receptionist's office and a sitting room of the Defendant UBS AG (A SWISS BROKER)'s Registered Agent, CREDIT SUISSE, NASSAU BRANCH-WEALTH MNG., at 4th Fl Bahamas Financial Centre, Nassau, Bahamas. Copies of one of the two original Certificates of Service compiled by Yuri Starostenko on the spot with attached photographs of the place of service inside Bahamas Financial Centre building at 1st Flour, while signing in, and at 4th Flour, inside the receptionist's office and a sitting room of CREDIT SUISSE, NASSAU BRANCH-WEALTH MNG., while serving, containing images of the documents served, of Yuri Starostenko and of myself, certifying that documents specified in the Certificate of Service have been served on the Defendant UBS AG (A SWISS BROKER) "*by leaving the same*" "*at its registered office*" at 4th Fl Bahamas Financial Centre, Nassau, Bahamas are now produced and shown to me, marked collectively as '**Exhibit 3**'.

---

<sup>1</sup> See Sections 173 to 176 of the Companies Act, 1992.

<sup>2</sup> A method codified by the Statute of The Bahamas in Section 23 of the Companies Act, 1992:

*"23. Any writ, notice, order or other document required to be served upon a company may be served by leaving the same, or sending it through the post in a prepaid letter, addressed to the company at its registered office".*

**Evidence of Default**

4. The relevant facts that the Defendant UBS AG (A SWISS BROKER) has not filed an acknowledgement of service are, as follows:
- a. On **21 March 2024**, I attended at the Supreme Court Registry and inspected the Court's file in this action.
  - b. Based upon my observations during the inspection, I found and certify that no acknowledgment of service in Form G9 containing a notice of intention to defend in accordance with **CPR Part 9** was filed by or on behalf of the Defendant UBS AG (A SWISS BROKER).
  - c. The inspections revealed that, on the date of inspection, the Defendant UBS AG (A SWISS BROKER) has failed to file an acknowledgement of service, and the time period for filing an acknowledgement of service under **CPR Rules 9.3 and 8.22(1)(a)** has expired on **14 March 2024** and, therefore, the Claimants may enter a default judgment against the Defendant UBS AG (A SWISS BROKER) under **CPR Part 12**.


**The Belief**

5. I believe that the ends of justice would be served by the entry of a default judgment against the Defendant UBS (BAHAMAS) LTD (IN VOLUNTARY LIQUIDATION), together with imposing interest and fixed costs.


**The Jurat**

6. I depose hereto on the basis of my personal knowledge of the matters referred to and I declare that, unless otherwise stated, the content thereof is, to the best of my knowledge, information and belief, true and correct.

SWORN TO at New Providence, The Bahamas)

THIS <sup>21<sup>st</sup></sup> 21 day of March, 2024) \_\_\_\_\_ 

BEFORE ME,  
NOTARY PUBLIC

  
**DESIGNATED CLERK**  
OF THE  
SUPREME COURT  
COMMONWEALTH OF THE BAHAMAS

In the Commonwealth of The Bahamas  
In the Supreme Court  
Common Law and Equity Division

**Claim No.01620 of 2014 and Claim No.01451 of 2015**

(Actions consolidated by Order of the Judge dated 4 November 2015, as amended under Rules 19.2(1) and 19.2(2) of the Civil Procedure Rules, 2022 (CPR))

In the Matter of the Securities Industry Act, 2011.  
In the Matter of the Companies Act, 1992, as amended by the Companies (Winding-Up Amendment) Act, 2011.  
In the Matter of the Fraudulent Dispositions Act, 1991.  
In the Matter of the Penal Code, 1927.

Between:

**JUNKANOO ESTATES LTD,  
YURI STAROSTENKO,  
IRINA TSAREVA-STAROSTENKO,**

Claimants,

And

**UBS (BAHAMAS) LDT (IN VOLUNTARY LIQUIDATION),  
UBS AG (A SWISS BROKER),  
KEVIN LEE PRICE,  
THIBAUD HALEWYCK,  
GEORGE MAILLIS,  
MARCO TURNQUEST,**


Defendants.

**CERTIFICATE**

I hereby certify that the exhibits referred to and marked as 'Exhibit 1', 'Exhibit 2' and 'Exhibit 3' in this Affidavit are sworn herein.

THIS <sup>21<sup>st</sup></sup> day of March, 2024.

BEFORE ME,  
NOTARY PUBLIC

  
**DESIGNATED CLERK  
OF THE  
SUPREME COURT  
COMMONWEALTH OF THE BAHAMAS**



*Commonwealth of The Bahamas*

COMPANIES ACT, 1992  
(No. 18 of 1992) Section 174(1)

*Certificate of Registration*

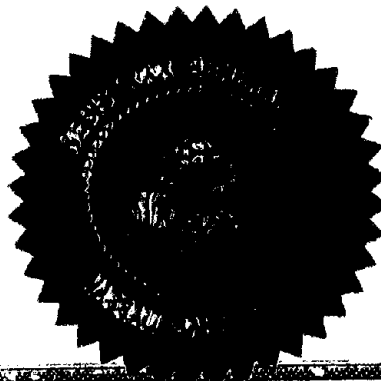
NO. 65962

UBS AG

*I, SIMON C. ROLE, Acting Assistant Registrar General of the Commonwealth of The Bahamas,  
do hereby certify, pursuant to the Companies Act, 1992 (No. 18 of 1992) that all the requirements of the said  
Act in respect of registration have been satisfied, and that*

UBS AG

*is registered in the Commonwealth of The Bahamas as a Foreign Company  
this 22nd day of January, 2024.*



*Given under my hand and seal at  
In the Commonwealth of The Bahamas*

  
Acting Assistant Registrar General

*PC/18/2024-1*

revious

## Company Profile

Company Name: **UBS AG**

Company Type: **Foreign Registration**

Company Number: **65962**

Name Reservation Date: **18-01-2024**

Incorp. Date: **22-01-2024**

Reg. Date:

Company Standing:

(Blank = Active)

Company Sub-Type Code:

Registered Agent: **1014**

**CREDIT SUISSE, NASSAU BRANCH-WEALTH MGT.**

Agent Address:

**4TH FL BAHAMAS FINANCIAL CENTRE  
P. O. BOX N-4801 NASSAU, BAHAMAS**

Registered Office: **4TH FL BAHAMAS FINANCIAL CENTRE P. O. BOX N-4801 NASSAU, BAHAMAS**

Mailing Address: (If not  
agent addr or Registered Office)

Nature of Business:

-----Dates-----

Commenced Business:

Ceased Business:

Struck Off:

Restored:

Amalgamated:

Cancelled:

Intent to Dissolve:

Dissolved:

Continued:

Discontinued:

Terminated:

Intent to Resign:

First Gazette Notice:

Agent Resigned:

Last Company Return:

Re-Registration:

Amendment to M/A:

Agent Internal #:

Number of Shares:

Type of Shares Allowed: **R**

Capital, Base Currency:

N=No Par Shares: **N**

ParV:

Currency if not Base:

Cap \$ if not Base:

*Bohrt 2*

*Exhibit 3*

# Certificate of Service

of legal documents in the proceedings on **UBS AG**, a foreign company that is registered under the Companies Act, 1992,<sup>1</sup>

in consolidated Civil Action **No.01620 of 2014 and No.01451 of 2015** (Actions consolidated by Order of the Judge dated 4 November 2015, as amended under Rules 19.2(1) and 19.2(2) of the Civil Procedure Rules (CPR)) **Junkanoo Estates Ltd et al. vs UBS (Bahamas) Ltd (in Voluntary Liquidation) et al.**

served on **CREDIT SUISSE, NASSAU BRANCH-WEALTH MNG.**, a registered office of **UBS AG** in The Bahamas under section 181 of the Companies Act, 1992, at its place of business:<sup>2</sup>

4th Floor,  
Bahamas Financial Centre,  
P.O. Box N-4801,  
Nassau, The Bahamas

*Item 1. Standard Claim Form (Amended) in Form G3*

*Item 1. Statement of Claim, filed in this action 14 November 2017*

Received by *Ms. Larkley* *Mrs. Wilkerson*

On the *28 February 2017* at *12:23*  
Date Time

E-mail for further service: \_\_\_\_\_

<sup>1</sup> See sections 173 to 176 of the Companies Act, 1992.

<sup>2</sup> A method codified by the statute of The Bahamas in section 23 of the Companies Act, 1992:

*"23. Any writ, notice, order or other document required to be served upon a company may be served by leaving the same, or sending it through the post in a prepaid letter, addressed to the company at its registered office".*

In the Commonwealth of The Bahamas  
In the Supreme Court  
Common Law and Equity Division

**Claim No.01620 of 2014 and Claim No.01451 of 2015**

(Actions consolidated by Order of the Judge dated 4 November 2015, as amended under Rule :  
19.2(1) and 19.2(2) of the Civil Procedure Rules, 2022 (CPR))

In the Matter of the Securities Industry Act, 2011.

In the Matter of the Companies Act, 1992, as amended by the Companies (Winding-Up Amendment)  
Act, 2011.

In the Matter of the Fraudulent Dispositions Act, 1991.

In the Matter of the Penal Code, 1927.

Between:

**JUNKANOO ESTATES LTD,  
YURI STAROSTENKO,  
IRINA TSAREVA-STAROSTENKO,**

Claimants,

And

**UBS (BAHAMAS) LDT (IN VOLUNTARY LIQUIDATION),  
UBS AG (A SWISS BROKER),  
KEVIN LEE PRICE,  
THIBAUD HALEWYCK,  
GEORGE MAILLIS,  
MARCO TURNQUEST,**

Defendants.

**AFFIDAVIT — SERVICE OF THE CLAIM FORM AND STATEMENT OF CLAIM ON  
THE DEFENDANT UBS AG (A SWISS BROKER) (CPR Rule 12.4(a)) — DEFAULT TO  
FILE AN ACKNOWLEDGMENT OF SERVICE (CPR Rule 12.4(b)(i))**

Filing Parties: Junkanoo Estates Ltd,  
Yuri Starostenko *pro se*,  
Irina Tsareva-Starostenko *pro se*.

Address and Contact Information:  
C/o PrideRock Corporate Centre,  
11 East Street, Nassau,  
New Providence,  
The Bahamas.

E-mail address: [irastaro@gmail.com](mailto:irastaro@gmail.com)  
Cell Phone No.: +1-242-817-4372

*Filed on behalf of the Claimants in this action*