

**IN THE COMMONWEALTH OF THE BAHAMAS**  
**IN THE SUPREME COURT**  
**Common Law & Equity Division**

**Claim No. 2014/01620**

**Claim No. 2015/01451**

**BETWEEN:**

**JUNKANOO ESTATES LTD**

**First Claimant**

**AND**

**YURI STAROSTENKO**

**Second Claimant**

**AND**

**IRINA TSAREVA-STAROSTENKO**

**Third Claimant**

**AND**

**UBS (BAHAMAS) LTD. (In Voluntary Liquidation)**

**Defendant**

**(Actions and Counterclaim consolidated by Order of the Judge dated 4 November 2015)**

**SECOND DIRECTIONS ORDER**

**DATED** the 11<sup>th</sup> day of December, A.D., 2023

**BEFORE** Her Ladyship the Honourable Madam Justice Card Stubbs, Justice of the Supreme Court of the Commonwealth of The Bahamas.

**UPON** the Court's own Motion.

**AND UPON HEARING** the Second Claimant, Mr. Yuri Starostenko *pro se*; and, the Third Claimant, Mrs Irina Tsareva-Starostenko *pro se*, and there being no appearance on behalf of the First Claimant; And Mr Marco Turnquest together with Ms Chizelle Cargill of Lennox Paton counsel for the Defendant (by Counterclaim).

**IT IS HEREBY ORDERED AND DIRECTED THAT:**

1. The Directions Order dated July 14, 2023 and filed August 29, 2023, is varied in accordance with the terms set out herein.
2. On **22 April 2024, at 2pm**, the Court will hear the following filed application:
  - i. Claimants' applications to permit entry and surrender benefits, filed July 7, 2023 and November 20, 2018 – to be heard as a joint application.
3. On **29 April 2024, at 2pm**, the Court will hear the following filed application:
  - i. Claimants' application for an interim injunction, filed September 9, 2020.
4. These applications are referred to together as the two (2) applications.
5. The two applications shall be heard in accordance with the further directions set out herein.

*Further Affidavits in support of the Two Applications*

6. The Parties will file and serve any further **supplemental affidavits** in support of or opposing the two applications, on or before **March 15, 2024**.
7. A party will not be allowed to rely on any affidavit which has not been filed by the time specified or contained in their List of Documents, unless otherwise ordered by the Court.

*Hearing Documents*

8. Each party is to prepare and lodge a **list of "Hearing Documents"** to be relied on at the hearing of the two applications, to be filed and served on or before **March 18, 2024**. For avoidance of doubt, the parties are at liberty to file a Hearing Bundle of Documents in addition to the List hereby required.

*Evidence*

9. The hearing of the two applications will proceed on the affidavit evidence filed in compliance with these directions.
10. On or before **April 12, 2024**, the parties are to exchange skeleton arguments with authorities for the two applications, and copies are to be lodged with the Court. In addition to the hardcopy, each party is to submit its skeleton arguments and authorities in electronic form to the Court by email to [justicecardstubbsschambers@gmail.com](mailto:justicecardstubbsschambers@gmail.com). The skeleton arguments are to be submitted in both Word and PDF formats.

11. Hearing of the two applications will proceed by way of Zoom hearing.
12. At each of the hearings of the two applications, the Claimants will be allowed 1 hour to make submissions in support of their applications. The Defendant will be allowed 1 hour to make submissions opposing the applications. The Claimants will be allowed 20 minutes to reply to the Defendant's submissions.
13. A hearing for directions on the remaining pending applications, filed as of July 2023, will take place on **June 24, 2024** commencing at **2:00 pm** and will be by way of Zoom hearing.
14. The Claimants' request to vary paragraph 13 of this Order and to schedule on June 24, 2024 a hearing of the Claimants' application for striking out impugned paragraphs of the Defendant's Amended Defence, filed 29 January 2019, instead of a hearing for directions on the remaining pending applications, filed as of July 2023, is refused.
15. A date for a pre-trial review, the period within which the trial is to commence or trial date will be fixed after the remaining pending applications, filed as of July 2023, are heard.
16. Applications filed after July 2023 should be referred to the Listing Office for a hearing.

**BY ORDER OF THE COURT**

**REGISTRAR**

*This Order was drawn up by Messrs. Lennox Paton, 3 Bayside Executive Park, West Bay St. & Blake Rd., Nassau, The Bahamas, Attorneys for the Defendant (by Counterclaim).*

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