

WEDNESDAY 22ND AUGUST 2018

**IN THE COURT OF APPEAL**

ON APPEAL FROM THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
COMMERCIAL COURT

CL-2018-000269

**BEFORE** LORD JUSTICE SIMON

**B E T W E E N**

1. FUNDO SOBERANO DE ANGOLA
2. FSDEA HOTEL INVESTMENT LIMITED
3. FSDEA AFRICA AGRICULTURE (LP) LIMITED
4. FSDEA AFRICA INVESTMENT (LP) LIMITED
5. FSDEA AFRICA HEALTHCARE (LP) LIMITED
6. FSDEA AFRICA MEZZANINE (LP) LIMITED
7. FSDEA AFRICAN MINING (LP) LIMITED
8. FSDEA AFRICA TIMBER (LP) LIMITED

CLAIMANTS /  
APPELLANTS

- and -

1. JOSE FILOMENO DOS SANTOS
2. JEAN-CLAUDE BASTOS DE MORAIS
3. QUANTUM GLOBAL INVESTMENT MANAGEMENT AG
4. QG INVESTMENTS AFRICA MANAGEMENT LIMITED
5. QG INVESTMENTS LIMITED
6. QUANTUM GLOBAL ALTERNATIVE INVESTMENTS AG
7. INFRASTRUCTURE AFRICA (GP) LTD
8. HOTEL AFRICA (GP) LTD
9. AGRICULTURE AFRICA (GP) LTD
10. HEALTHCARE AFRICA (GP) LTD
11. MEZZANINE AFRICA (GP) LTD
12. MINING AFRICA (GP) LTD
13. TIMBER AFRICA (GP) LTD
14. QG AFRICAN INFRASTRUCTURE I LP
15. QG AFRICA HOTEL LP
16. QG AFRICA AGRICULTURE LP
17. QG AFRICA HEALTHCARE LP
18. QG AFRICA MEZZANINE LP
19. QG AFRICA MINING LP
20. QG AFRICA TIMBER LP
21. THE NORTHERN TRUST COMPANY

DEFENDANTS /  
RESPONDENTS

UPON the Claimants' applications for (i) permission to appeal against the Order of Mr Justice Poplewell of 30 July 2018, on the grounds set out in their Grounds of Appeal dated 8 August 2018; and (ii) a further extension of the stay of the discharge of the worldwide freezing order and proprietary injunction originally made by Mr Justice Phillips on 27 April 2018 ("the WFO").



COURT 68  
Application No.

A4/2018/1861 AND  
A4/2018/1861 (B)



**AND UPON** reading the written evidence filed

**AND UPON** hearing counsel for the Claimants and Leading Counsel for the First Defendant, Second Defendant and Third to Twentieth Defendants:

**IT IS ORDERED THAT:**

1. Permission to appeal is refused.
2. The application for a further extension of stay of the discharge of the WFO is dismissed.
3. The Claimants shall pay the Defendants' costs of and incidental to the applications and of the hearing, to be the subject of detailed assessment if not agreed.

(The Court sat from 14.32 to 15.15)

NOTE: Your application for permission to appeal to this Court has been refused.

No appeal may be made against this decision to the Supreme Court of the United Kingdom: see *section 54(4) of the Access to Justice Act 1999*



*By the Court*

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ORDER

Copies to:

Queen's Bench Division - Admiralty & Commercial  
Court  
DX 160040  
Strand 4

Grosvenor Law  
60 Grosvenor Street  
London  
W1K 3HZ  
Ref: PROJECT LONDON (JC BASTOS DE  
MORAIS)

Joseph Sutton Solicitors  
11/12 Tokenhouse Yard  
London  
EC2R 7AS  
Ref: JOSEPH SUTTON

Norton Rose Fulbright LLP  
DX 85  
London  
Ref: 1001018406/PMOR/KATY

Quinn Emanuel Urquhart & Sullivan UK LLP  
90 High Holborn  
London  
WC1V 6LJ

Sidley Austin LLP  
Woolgate Exchange  
25 Basinghall Street  
London  
EC2V 5HA

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\* This order was drawn by A Marie Smith (Associate) to whom all enquiries regarding this order should be made. When communicating with the Court please address correspondence to A Marie Smith, Civil Appeals Office, Room E307, Royal Courts of Justice, Strand, London WC2A 2LL (DX 44450 Strand) and quote the Court of Appeal reference number. The Associate's telephone number is