



**IN THE HIGH COURT OF JUSTICE**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**COMMERCIAL COURT (QBD)**

CL-2020-000092

**Before: THE HON. MRS JUSTICE COCKERILL DBE**

**15 JANUARY 2022**

**B E T W E E N:-**

**CRF I LIMITED**  
**(a company incorporated under the laws of the Cayman Islands)**

**Claimant**

**and**

**(1) BANCO NACIONAL DE CUBA**  
**(a company incorporated under the laws of Cuba)**

**(2) THE REPUBLIC OF CUBA**

**Defendants**

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**ORDER**

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**UPON** the Order of Richard Salter QC (sitting as Deputy Judge of the High Court) dated 4 March 2021

**AND UPON** the Order of HHJ Pelling QC (sitting as a Judge of the High Court) dated 17 May 2021

**AND UPON** the Order of Mrs Justice Cockerill dated 13 June 2021 (the “**Order**”)

**AND UPON** the Order of Mr Justice Knowles CBE dated 8 July 2021

**AND UPON** the Order of HHJ Pelling QC (sitting as a Judge of the High Court) dated 17 July 2021

**AND UPON** the Parties agreeing that for the purposes of any applicable limitation period, any amendment to the Amended Claim Form the effect of which is to add a new claim (a



“**New Claim**”) shall, if such claim does not arise out of the same or substantially the same facts as a claim in respect of which the Claimant had (prior to the date of this order) already claimed a remedy in the Amended Claim Form in these proceedings (an “**Existing Claim**”), be deemed to have been made on the date of this Order and not on any previous date (with each party fully reserving its rights in this regard)

**AND UPON** the parties agreeing that the question of whether the conditions for granting permission for service out of the jurisdiction are satisfied should be determined at the hearing of the Jurisdiction Challenge (such that if any of those conditions are not satisfied the order granting permission to serve out shall be set aside)

**AND UPON** the Parties agreeing, and the Claimant undertaking, that the Claimant will not contend that either of the Defendants has taken any step in the proceedings within the meaning of section 2 of the State Immunity Act 1978, or otherwise submitted to the jurisdiction of the English Court, and that all of their rights, privileges and immunities (if any) remain unaffected (including, but not limited to, those arising under the State Immunity Act 1978). For the avoidance of doubt, the Claimant makes no admissions or concessions in relation to the issues of immunity and jurisdiction or otherwise

**AND BY CONSENT**

**IT IS ORDERED THAT**

1. The time in paragraph 2(b) of the Order for service of the Re-Amended Claim Form be extended from 7 March 2022 to 16 May 2022 in respect of service upon the Second Defendant.
2. No order as to costs.
3. This Order shall be served by the Claimant on the Defendants.

**Service of the Order**

The Court has provided a sealed copy of this Order to the serving party: Rosenblatt (ref: DHR/C1189.0001), solicitors for the Claimant, 165 Fleet Street, EC4A 2DY.