

30th May 2024

### **Funds formerly known as ‘Cornhill Designated Funds’**

International Investment Platform o.c.p., a.s. (“IIP” or the “Company”) wishes to provide the following update in respect of various investments, previously known as Cornhill Designated Funds (“Designated Funds” or “Funds” or singularly the “Fund”).

As previously indicated, IIP has engaged Luxembourg lawyers B-avocats SàRL (“B-avocats”) to provide advice to IIP and implement a recovery programme for Investors. The initial costs of this work are being borne by the Company. Additional legal support is being obtained in other jurisdictions as appropriate.

We wish to update Investors as follows:

### **Investments managed by Xantis S.A. (“Xantis”)**

1. IIP’s Clients (“Clients” or “Investors”) have investments in a number of structures managed by Xantis.
2. From documentation available we understand Xantis to be (or have been) the management company of a number of different structures including:
  - a. Lombard 82 Securitisation Fund
  - b. Xantis Investments Securitisation Fund, with sub funds including:
    - i. Xantis Private Equity Sub Fund
    - ii. Xantis Private Equity 2 Sub Fund
    - iii. Xantis Private Equity 3 Sub Fund
    - iv. Xantis Private Equity 4 Sub Fund
    - v. Xantis Private Equity 5 Sub Fund
    - vi. Aphrodite Fund Sub Fund
  - c. Paraiba Brazilian Opportunities Fund
  - d. Theseus Special Opportunities Fund
  - e. Blue Vale Securitisation Fund
  - f. ForexMax Securitisation Fund
  - g. Magistral Private Equity Fund (formerly known as Aegeus Securitisation Fund and Keyholder Fund Three Securitisation Fund)
  - h. Xantis Aion Securitisation Fund
  - i. Keyholder Fund One Securitisation Fund
  - j. Keyholder Fund Two Securitisation Fund
  - k. Perseus Securitisation Fund (formerly known as Keyholder Fund Four Securitisation Fund).
3. It is not possible to determine which of these structures currently exists, as none of the structures appear to be registered with Registre de Commerce et des Sociétés (“RCS”) as required by Luxembourg Securitisation Law of 22 March 2004 as amended on 9 February 2022. The legal status of the structures is therefore currently unclear.
4. In the absence of the registration of the structures we have not been able to reconfirm who the current business partners are (including Management Company, Auditors and Registrars/Transfer Agents) nor to obtain any financial statements.
5. The last financial statements received by IIP for Lombard 82 Securitisation Fund are for the 2019 financial year. For other structures we are not aware of any financial statements, nor any other formal notices.
6. We comment on investments of particular interest to Clients as follows.

## **Lombard 82 EMTNs (“Lombard 82” – All Series)**

7. As previously noted, B-avocats continues to assist us, providing advice to IIP and implementing a recovery programme for Investors, with additional legal support in other jurisdictions.
  8. Legal action has commenced against Xantis either directly or as management company of Lombard 82. So far, the following judgements have been received in IIP’s favour from the First Instance court in Luxembourg:
    - a. Judgement 2023TALCH02/01249 dated 20 October 2023 against Xantis for €81,750 plus statutory interest, costs and procedural damages.
    - b. Judgement 2024TALCH06/00095 dated 25 January 2024 against Xantis as Management Company of Lombard 82 for €14,007,780.09 plus statutory interest and costs.
- These judgements are subject to appeal.
9. We are aware that Xantis has been advising its contacts of a case it has brought against International Investment Platform S.A. (the Luxembourg parent of IIP) for €33,219,155.46. We are advised that this case was dismissed by the Luxembourg Courts as inadmissible on 26 April 2024 (Judgement 2024TALCH02/00691) with costs awarded against Xantis.
  10. To the Company’s knowledge, no legal actions have ever been initiated against IIP in any jurisdiction.
  11. B-avocats continues to pursue a range of actions against Lombard 82 and its business partners and a number of other actions are being considered in order to recover Clients’ money. B-avocats is also in contact with other interested parties (primarily the Liquidators of LUXIF and WIOF/WSP/WPP and the Receivers of Lombard Investments S.A. and LS International Finance S.A.) on the way forward.

## **Other Investments Managed by Xantis**

12. We are aware that some of IIP’s Clients have exposure to other structures managed by Xantis included in the list above.
13. These structures were used by a very small number of higher value investors. IIP is therefore in contact with the Clients concerned directly and a recovery plan is being actioned by B-avocats.

## **World Investment Opportunities Funds SICAV UCITS (“WIOF”)**

### **World Strategy Portfolios SICAV UCITS (“WSP”)**

### **World Performance Portfolios SICAV UCITS (“WPP”)**

14. WIOF, WSP and WPP were placed in liquidation in March 2020 (WSP, WPP) and November 2020 (WIOF) due to the resignation of the Funds’ management company, CASA4Funds S.A. and the withdrawal of the Funds from the official list of UCITS investment funds in January 2020 by Commission de Surveillance du Secteur Financier (CSSF), the Fund’s regulator.
15. The liquidation of WIOF and WSP is largely complete, and capital was returned to Investors in November 2023. Most Clients have seen more than their initial investment returned although precise amounts are dependent on the timing and currency of their investment and subsequent market movements.
16. A small number of sub-funds of WIOF and WSP remain to be finalized, however these are investments that were liquidated many years ago and Clients invested through IIP have already seen their investments redeemed so are thus unaffected.
17. The liquidation of WPP is ongoing due to the illiquidity of one of the underlying holdings, GEMREF, due in turn to exposure to one of the investments managed by Xantis listed above.

However we do not believe any IIP Clients are affected by this.

18. IIP is in contact with the Liquidator on a regular basis and we understand that all creditor claims have been reviewed and either satisfied or rejected as appropriate.

#### **World Shariah Funds PCC Limited (“WSF”).**

19. WSF continues to operate normally, with subscriptions and redemptions being processed as set out in the Fund’s Offering Memorandum.
20. We are advised that Lombard Investments S.A. (formerly Cornhill Management S.A.) tendered its resignation as Marketing Co-Ordinator of WSF on 30 May 2022, effective 30 August 2022. We understand that any remuneration payable to Lombard Investments S.A. from WSF ceased at that point.
21. We are aware of references on the Xantis website [www.xantisfunds.lu](http://www.xantisfunds.lu) stating that “*Xantis is the exclusive official promoter of the WSF Global Equity Fund*”. We are advised by WSF that this is not, and never has been, correct.

#### **Providence Investment Funds PCC Limited (“Providence”)**

22. Providence was placed in administration in August 2016, following a major fraud within the Fund which led to its initial suspension in July 2016. Teneo (formerly part of Deloitte LLP) was appointed as Administrator.
23. The principal of Providence, Antonio Carlos de Godoy Buzaneli, was sentenced to 20 years imprisonment in USA for fraud in April 2019. Other co-defendants have also received custodial sentences.
24. In September 2022 a settlement offer from the Fund’s former auditor was accepted and the fund subsequently moved into liquidation. A copy of the Liquidator’s final report is available on from IIP on request.
25. Settlement monies were released by the Liquidator in February 2024. On the instructions of the Guernsey Royal Court (the “Court”) proceeds were distributed on a cell by cell basis. These cells were independent of each other: Clients were invested in these cells and not in Providence directly. IIP’s Clients were invested in 9 cells of Providence, although we understand that 96 cells overall were launched.
26. In line with the Court ruling, settlement was made by class of investor:
  - a. Creditors, being Investors who had a redemption request accepted by Providence before its suspension and who had priority in liquidation, and
  - b. Cell holders, being Investors for whom no redemption request had been accepted
27. The majority of creditors have been repaid in full. The exception was the March 2015 GBP cell where there were insufficient funds to pay creditors in full and a proportionate settlement was received.
28. Cell holders received a much smaller settlement, which differed by cell. The exception was the March 2015 GBP cell for which no funds were available and no settlement made.
29. All creditor and cell holder proceeds have been credited to Clients’ accounts. Additionally any unpaid coupons were treated as creditor claims and Clients’ accounts credited accordingly.
30. We understand that it is unlikely any further proceeds will become available for distribution and settlements are therefore being treated as final by IIP.

## **LUXIF SICAV SIF (“LUXIF”)**

31. LUXIF was placed in liquidation in December 2022 following the resignation of the General Partner, Luxif Management SàRL, and the withdrawal of LUXIF from the official list of specialized investment funds by CSSF in December 2021. This followed five attempts by the General Partner to place LUXIF in voluntary liquidation, opposed by shareholders, during 2021.
32. IIP is in contact with the Liquidator on a regular basis. He is still in the fact-finding stage, recognizing that whilst IIP Clients are primarily exposed to 2 sub funds, LUXIF is an umbrella structure with 9 sub funds which all need to be liquidated.
33. The Liquidator is not currently in a position to issue a formal update, however he did agree the following key messages for communication by IIP:
  - a. The Liquidator is undertaking the fact-finding stage, and has acquired a large quantity of records as well as the statutory report of the CSSF;
  - b. All options are under consideration, and no courses of action have been excluded;
  - c. In particular the Liquidator has not seen anything that would rule out actions against business partners and the questions of liability and litigation are still to be considered;
  - d. Complex liquidations of this type take some time, and the fact that the liquidation has not been closed down for lack of assets should be seen as a positive by investors.
34. We understand that the majority of the Funds' investments are in a range of investment structures managed by Xantis and the Liquidator is considering what actions are required in this respect.
35. The Liquidator has however successfully liquidated a significant investment in WSP, providing resources and liquidity for ongoing actions on behalf of shareholders.

## **INTERNATIONAL INVESTMENT PLATFORM O.C.P., A.S.**

### *Note:*

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