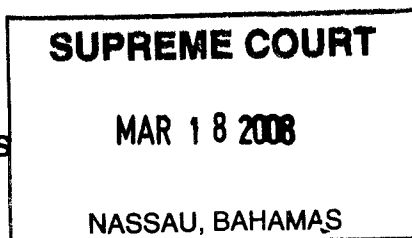


To be used at a hearing before the Honourable Mr. Justice Lyons in Chambers on the 19<sup>th</sup> day of March 2008 at 9.30 in the fore-noon.

COMMONWEALTH OF THE BAHAMAS  
IN THE SUPREME COURT  
Common Law and Equity Division



2007  
CLE/GEN No. 1052

Between

LESTER M. TURNQUEST, JR.

First Plaintiff

THE BONNYCORD GROUP LIMITED

Second Plaintiff

AND

HYWEL JONES

First Defendant

THE BRITANNIA GROUP LTD

Second Defendant

HAMPTON INSURANCE COMPANY LIMITED

Third Defendant

STEPHEN DICKSON

Fourth Defendant

**SIXTH AFFIDAVIT OF GEORGE CLIFFORD CULMER**

I, GEORGE CLIFFORD CULMER, of the Eastern District of the Island of New Providence, being one of The Islands of The Commonwealth of The Bahamas, Chartered Accountant, make oath and say that:-

1. I am the senior partner in the accounting firm known as BDO Mann Judd and I was by virtue of the Order herein dated the 21<sup>st</sup> September 2007 and filed herein on the 1<sup>st</sup> October 2007 ("the

First Order”) appointed as the Receiver and Manager (“the Receiver”) of the Client Companies and the Recipient Companies which are referred to in the First and Second Schedules of the First Order and I was by the Supplemental Order herein dated the 18<sup>th</sup> February 2008 and filed herein on the 28<sup>th</sup> February 2008 appointed as the Receiver and Manager of Exbury Holdings Limited and the assets of The Cold Harbour Trust.

2. I make this Affidavit as a supplement to my Fifth Affidavit filed herein on the 10<sup>th</sup> March 2008 and by way of a further report to this Honourable Court following upon a meeting which my assistant and my Counsel had with the First and Fourth Defendants at my offices on the 11<sup>th</sup> March 2008.
3. At the said meeting, I am advised by my assistant that the First and Fourth Defendants produced the following documents to assist me in preparing the accounting (“the accounting”) ordered by the Court under Clause 3 (“Clause 3”) of the Order herein dated 18<sup>th</sup> February 2008 and filed herein on the 19<sup>th</sup> February 2008:-
  - (i) General ledgers prepared by the Second Defendant (The Britannia Group Ltd.), the Third Defendant (Hampton Insurance Co. Ltd.) and Regency Holdings Ltd. for the period from 1<sup>st</sup> January 2000 to 31<sup>st</sup> December 2006;
  - (ii) Audited financial statements for the Third Defendant for the years ended 2002, 2003, 2004 and 2005;
  - (iii) Draft financial statements for the Third Defendant for the year ended 2006 prepared by their auditors, Baker Tilly.
4. The Defendants have also offered to provide me with any further information that they have in their possession, custody or control to assist me in preparing the accounting.
5. There has been no further documentary disclosure made to me by the Plaintiffs since my Fifth Affidavit and in particular there has been no response to my written requests to the First Plaintiff and his Counsel to provide to me the financial information, as set out in my Memorandum dated 21<sup>st</sup> February 2008, which is exhibited as “GCC1” to my Fifth Affidavit. There has been no customary financial information provided to me by the Plaintiffs to date, for example audited

financial statements, general ledgers, balance sheets or income statements, to show, explain and substantiate the movement of funds to or from any of the Client Companies, the Recipient Companies or the Recipient Persons mentioned in the First Order and in Clause 3, including the Second Plaintiff. The only financial information provided to me to date by the Plaintiffs is limited to the bank statements exhibited by the First Plaintiff to his Affidavit herein dated 5<sup>th</sup> October 2007 which relate only to some of the Client and Recipient Companies for various periods in 2007. These banks statements, however, are not supported by any financial records from the Plaintiffs, for example a general ledger, with which I could reconcile such bank statements and determine to whom payments were made by or received for the Client or Recipient Companies or the Recipient Persons. Therefore, the Plaintiffs, notwithstanding my said written requests for the same, have not provided me with any customary financial information or accounting records from which I could prepare the accounting for the period from 2006 up to the date of the First Order, as required by Clause 3, notwithstanding the fact that the First Plaintiff has alleged in this action that all of the Client Companies, and all of the Recipient Companies mentioned in the First Order save for WJC Ventures Ltd., came under the control and management of the Second Plaintiff when he left the employ of the Defendants in 2006.

6. I am now in the process of reviewing the said information provided by the Plaintiffs to determine the extent to which I am able to prepare the accounting based upon the financial information which they have provided to me to date in respect of the Client and Recipient Companies, and the other Recipient Persons mentioned in Clause 3. I intend to prepare and file the accounting with this Honourable Court in due course, the scope of which will necessarily be limited by the information which has been provided to me by the parties to date, which as stated above does not include any customary financial information for the period from 2006 to the date of the First Order from which I could prepare the accounting for such period.
7. Where the contents of this Affidavit are within my own knowledge they are true. Where the contents of this Affidavit are not within my own knowledge they derive from information provided

to me by my agents or by my legal representatives, and from documents in my and their possession. I verily believe that this information is true.

Sworn to this 18<sup>th</sup> day )

of March A.D. 2008 at )

Nassau, Bahamas. ) *G. C. Culmer*

  
NOTARY PUBLIC

This Affidavit was prepared by Messrs. Roberts, Isaacs & Co. of Chambers, the Rigarno Building, Bay Street & Victoria Avenue, Nassau, Bahamas, of Counsel for George Clifford Culmer as Receiver and Manager herein.

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Nassau, Bahamas.  
Attorneys for George Clifford Culmer,  
as Receiver and Manager herein.