

# HERALD (LUX)

Société d'investissement à capital variable [variable capital investment company], in judicial liquidation  
Registered office: 6, Place de Nancy, L-2212 Luxembourg  
Luxembourg Commercial and Companies Register, B 136680

## Change in the method of judicial liquidation by fixing a deadline for claims and fixing the currency applicable to the distribution of the assets of the company Herald (Lux) to the unitholders

By judgment of 04 February 2016, the *Tribunal d'Arrondissement de et à Luxembourg* [District Court of and at Luxembourg], 6th Chamber, hearing commercial matters, changed the method of liquidation of the variable capital investment company HERALD (LUX).

The operative part of the judgment reads as follows:

"On these grounds

the District Court of and at Luxembourg, 6th Chamber, hearing commercial matters, having regard to the report of the *juge-commissaire* [bankruptcy judge] and having heard the opinions of the liquidators and the Public Prosecutor, declares the application admissible as to its form;

modifies the method of liquidation applicable to the liquidation of the variable capital investment company Herald (Lux) SICAV as follows:

declares that, by way of derogation from Article 508 of the Commercial Code, the creditors and investors may not lodge and affirm their claims up until the last distribution of the monies inclusively;

fixes for all the creditors, preferential or unsecured, the deadline for their claims at the Registry of the Sixth Chamber of the District Court of and at Luxembourg, Cité judiciaire, Plateau du St-Esprit, Building CO at Friday, 1 April 2016 at 5 p.m., otherwise creditors which do not respect that time-limit will not participate in the proceeds of the liquidation and will be excluded from all rights in the liquidation;

declares that the distribution of the assets of Herald (Lux) to the unitholders by way of the sums due to them pro rata to their investment in Herald (Lux) will be executed in the same currency as that of the assets recovered in the liquidation, namely that all the assets received by the liquidators in USD will be distributed to the unitholders in USD;

declares that the judgment to be given must be published by way of excerpts in *Mémorial C*, recueil spécial des sociétés et associations [Official Gazette, special collection for companies and associations], as well as in the newspapers *Luxemburger Wort*, *Börsenzeitung* and *Financial Times* as soon as possible and no later than Monday 29 February 2016;

orders the provisional enforcement of this judgment, notwithstanding any means of appeal and without security;

orders the costs to be borne by the estate of the liquidation of the variable capital investment company Herald (Lux) SICAV."

Luxembourg, 15 February 2016

For HERALD (LUX)

The judicial liquidators

Ferdinand BURG

Carlo REDING

The French version prevails.