



**IN THE HIGH COURT OF JUSTICE**  
**BUSINESS AND PROPERTY COURTS**  
**OF ENGLAND AND WALES**  
**LONDON CIRCUIT COMMERCIAL COURT (KBD)**

**BEFORE HIS HONOUR JUDGE PEARCE**  
**SITTING AS A JUDGE OF THE HIGH COURT**  
**ON 15 DECEMBER 2023**

**BETWEEN:-**

**MR ABDURRAHMAN SUZGUN**

**Claimant /**  
**Applicant**

**and**

**(1) TF GLOBAL MARKETS (UK) LTD**

**(2) TF GLOBAL MARKETS (AUST) PTY LTD**

**Defendants /**  
**Respondents**

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**ORDER**

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**PENAL NOTICE**

**IF YOU, TF GLOBAL MARKETS (UK) LTD AND TF GLOBAL MARKETS (AUST) PTY LTD  
(TRADING AS THINKMARKETS), DISOBEY THIS ORDER, YOU (OR ANY DIRECTOR OR  
OFFICER) MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED,  
OR HAVE YOUR ASSETS SEIZED.**

**ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS  
OR PERMITS THE RESPONDENTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE  
HELD IN CONTEMPT OF COURT AND IMPRISONED, FINED, OR HAVE THEIR ASSETS SEIZED.**

**UPON** the application of the Claimant

**AND UPON READING** the application dated 10 November 2023 (the “**Application**”), together with the Affidavit of Stewart Plant dated 10 November 2023 , filed on behalf of the Claimant

**AND UPON CONSIDERING** the further responsive evidence on the Court file

**AND UPON HEARING** counsel for the Claimant and the Defendants at a hearing on 15 December 2023

**IT IS ORDERED THAT:**

**BACKGROUND**

1. This is an interim mandatory injunction made against the First Defendant on 15 December 2023 by HHJ Pearce (sitting as a Judge of the High Court), on the application of the Claimant. The Order was made with notice to the Defendants.
2. For the avoidance of doubt, the First Defendant must do the things set out in paragraph 6 below, either by themselves or by their directors, officers, employees, agents or in any other way through others acting on their behalf or on their instructions.
3. The First Defendant must provide the information set out at paragraph 7 below.

**INTERIM PROPRIETARY INJUNCTION**

4. This part of the Order is made in respect of USD 4,280,818.88, which the First Defendant informed the Claimant would be debited from his account held with the First Defendant on 31.12.2021 (the “**Disputed Funds**”).
5. By 4:30pm on 15 January 2024 or (in respect of monies not currently held by the First Defendant but which are transferred to the First Defendant after 4.30pm on 15 January 2024) within 24 hours of the transfer of such monies to the First Defendant:

- 5.1. The First Defendant must transfer any of the Disputed Funds that it currently holds or that at any future time it may hold into its client money segregated account (the “**Segregated Account**”); and
- 5.2. To the extent the First Defendant has transferred any portion of the Disputed Funds to the Second Defendant, the First Defendant must use its best endeavours to procure the return of such portion from the Second Defendant, and pay the same into the Segregated Account.
6. Following the deposit of the Disputed Funds into the Segregated Account, until further order of the Court, the First and Second Defendants must not in any way, directly or indirectly, withdraw, dispose of, transfer, deal with, diminish the value of, or remove the Disputed Funds from the Segregated Account.

#### **PROVISION OF INFORMATION**

7. Unless paragraph 9 applies, the First Defendant must by 4:30pm within two working days after the deposit of the Disputed Funds into the Segregated Account, provide the Claimant with the account name, location, sort code, and account number of the Segregated Account.
8. If the provision of the information at paragraph 7 above is likely to incriminate the Defendants, the First Defendant is entitled to refuse to provide it, but it is recommended to take legal advice before refusing to provide this information. Wrongful refusal to provide the information is contempt of court and may render the First Defendant liable to be imprisoned, fined, or have its assets seized.
9. Within two working days after the provision of the information at paragraph 7 above, the First Defendant must swear and serve upon the Claimant’s legal representatives an affidavit setting out the above information.

#### **PROVISION OF SECURITY**

10. This order will cease to have effect if the Defendants:

10.1. Provide security by paying a sum equivalent to the Disputed Funds into Court, to be held to the order of the Court; or

10.2. Make provision for security in that sum by another method agreed with the Claimant's legal representatives.

### **COSTS**

11. Costs reserved to be determined following trial in these proceedings.

### **VARIATION AND DISCHARGE OF THIS ORDER**

12. Anyone served with or notified of this order may apply to the Court at any time to vary or discharge this order (so much as it affects that person or entity), but they must first inform the Claimant's legal representatives in writing at least 48 hours in advance, providing a copy of the intended application including any evidence to be relied upon in support of the application.

### **PARTIES OTHER THE CLAIMANT AND THE DEFENDANTS**

13. It is a contempt of Court for any person notified of this order knowingly to assist in or permit a breach of this order. Any person doing so may be imprisoned, fined, or have their assets seized.

14. This injunction does not prevent any bank from exercising any right of set off it may have in respect of any facility which it gave to the Defendants before it was notified of this order.

15. Except as provided in paragraph 16 below, the terms of this order do not affect or concern anyone outside the jurisdiction of this Court.

16. The terms of this order will affect the following persons in a country or state outside the jurisdiction of this Court –

16.1. The Defendants or their officers or agents;

16.2. Any person who –

- 16.2.1. Is subject to the jurisdiction of this Court;
  - 16.2.2. Has been given written notice of this order at his residence or place of business within the jurisdiction of this Court; and
  - 16.2.3. Is able to prevent acts or omissions outside the jurisdiction of this Court which constitute or assist in a breach of the terms of this Order; and
- 16.3. Any other person, only to the extent that this order is declared enforceable by or is enforced by a Court in that country or state.
17. Nothing in this order shall, in respect of assets located outside England and Wales, prevent any third party from complying with –
- 17.1. What it reasonably believes to be its obligations, contractual or otherwise, under the laws and obligations of the country or state in which those assets are situated or under the proper law of any contract between itself and either of the Defendants; and
  - 17.2. Any orders of the courts of that country or state, provided that reasonable notice of any application for such an order is given to the Claimant's legal representatives.

#### **COMMUNICATIONS WITH THE COURT**

18. All communications to the Court about this order should be sent to the London Circuit Commercial Court, which is located at the Rolls Building, 7 Rolls Building, Fetter Lane, London EC4A 1NL, quoting the case number.
19. The telephone number is 020 7947 6112.
20. The offices are open between 10 am and 4:30 pm Monday to Friday.

#### **SERVICE OF THIS ORDER**

This order shall be served by the Claimant on the First and Second Defendants.

The court has provided a sealed copy of this order to the serving party:

DLA Piper UK LLP at 1 St Peter's Square, Manchester M2 3DE

## **SCHEDULE A – SUPPORTIVE EVIDENCE**

1. The Claimant relies on the affidavit of Stewart Plant dated 10 November 2023, filed on behalf of the Claimant.

## **SCHEDULE B – UNDERTAKINGS GIVEN TO THE COURT BY THE CLAIMANT**

1. If the Court later finds that this order has caused loss to the Defendants, and decides that the Defendants should be compensated for that loss, the Claimant will comply with any order the Court may make.
2. Anyone notified of this order will be given a copy of it by the Claimant's legal representatives.
3. The Claimant will pay the reasonable costs of anyone other than the Defendants which have been incurred as a result of this order. If later the Court finds that this order has caused such person loss, and decides that such person should be compensated for that loss, the Claimant will comply with any order the Court may make.
4. If the order ceases to have effect, the Claimant will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this order, or whom he has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.
5. The Claimant will not without the permission of the Court use any information obtained as a result of this order for the purpose of any civil or criminal proceedings, either in England and Wales or in any other jurisdiction, other than this claim.

### **NAME AND ADDRESS OF CLAIMANT'S LEGAL REPRESENTATIVES**

DLA Piper UK LLP at 1 St Peter's Square, Manchester M2 3DE

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