

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**CHINA FISHERY GROUP LIMITED (CAYMAN)
et al.,
Debtors.¹**

:
: **Chapter 11**
:
: **Case No. 16-11895 (JLG)**
:
: **(Jointly Administered)**
:
: **Ref. Docket Nos. 2783-2788**
:

In re:

**CFG Peru Investments Pte. Limited (Singapore),
Debtor.**

:
: **Chapter 11**
:
: **Case No. 16-11914 (JLG)**
:
: **(Jointly Administered)**
:
:
:

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

DIANE STREANY, being duly sworn, deposes and says:

1. I am employed as a Senior Case Manager by Epiq Corporate Restructuring, LLC, located at 777 Third Avenue, New York, New York 10017. I am over the age of eighteen years and am not a party to the above-captioned action.

¹ The Debtors are China Fishery Group Limited (Cayman), Pacific Andes International Holdings Limited (Bermuda), N.S. Hong Investment (BVI) Limited, South Pacific Shipping Agency Limited (BVI), China Fisheries International Limited (Samoa), CFGL (Singapore) Private Limited, Chanery Investment Inc. (BVI), Champion Maritime Limited (BVI), Growing Management Limited (BVI), Target Shipping Limited (HK), Fortress Agents Limited (BVI), Ocean Expert International Limited (BVI), Protein Trading Limited (Samoa), CFG Peru Investments Pte. Limited (Singapore), Smart Group Limited (Cayman), Super Investment Limited (Cayman), Pacific Andes Resources Development Limited (Bermuda), Nouvelle Foods International Ltd., Golden Target Pacific Limited, Pacific Andes International Holdings (BVI) Limited, Zhonggang Fisheries Limited, Admired Agents Limited, Chiksano Management Limited, Clamford Holding Limited, Excel Concept Limited, Gain Star Management Limited, Grand Success Investment (Singapore) Private Limited, Hill Cosmos International Limited, Loyal Mark Holdings Limited, Metro Island International Limited, Mission Excel International Limited, Natprop Investments Limited, Pioneer Logistics Limited, Sea Capital International Limited, Shine Bright Management Limited, Superb Choice International Limited, and Toyama Holdings Limited (BVI).

2. On October 28, 2021, I caused to be served the following:
- a. "Creditor Plan Proponents' Motion for an Order Authorizing the Filing of Certain Information Under Seal," dated October 28, 2021 [Docket No. 2783],
 - b. "Order Authorizing the Creditor Plan Proponents to File Certain Information Under Seal," dated October 28, 2021 [Docket No. 2784],
 - c. "Creditor Plan Proponents' Motion to Enforce the Injunction Order and Confirmation Order," dated October 28, 2021 [Docket No. 2785],
 - d. "Motion to Shorten Notice of Creditor Plan Proponents' Motion to Enforce the Injunction Order and Confirmation Order," dated October 28, 2021 [Docket No. 2786],
 - e. "Order Shortening Notice of Creditor Plan Proponents' Motion to Enforce the Injunction Order and Confirmation Order," dated October 28, 2021 [Docket No. 2787], and
 - f. *A Revised version of the* "Declaration of Gregory F. Pesce in Support of Creditor Plan Proponents' Motion to Enforce the Injunction Order and Confirmation Order," dated October 28, 2021 [Docket No. 2788], annexed hereto as Exhibit A,

by causing true and correct copies:

- i. to be enclosed in separate postage pre-paid envelopes and delivered via overnight mail to those parties listed on the annexed Exhibit B,
 - ii. to be enclosed in separate postage pre-paid envelopes and delivered via first class mail to those parties listed on the annexed Exhibit C,
 - iii. to be delivered via electronic mail to those parties listed on the annexed Exhibit D, and
 - iv. to be delivered via facsimile to those parties listed on the annexed Exhibit E.
3. All envelopes utilized in the service of the foregoing contained the following legend:
LEGAL DOCUMENTS ENCLOSED. PLEASE DIRECT TO THE ATTENTION OF
ADDRESSEE, PRESIDENT OR LEGAL DEPARTMENT."

/s/ Diane Streany
Diane Streany

Sworn to before me this
28th day of October, 2021

/s/ Cassandra Murray

Notary Public, State of New York
No. 01MU6220179
Qualified in Queens County
Commission Expires April 12, 2022

EXHIBIT A

WHITE & CASE LLP

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Telephone: (312) 8881-5400
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Gregory F. Pesce (admitted *pro hac vice*)

– and –

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J. Christopher Shore
Gregory Starner

Counsel to the Creditor Plan Proponents

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
)	Case No. 16-11895 (JLG)
CHINA FISHERY GROUP LIMITED (CAYMAN), <i>et al.</i> , ¹)	
)	Chapter 11
Debtors.)	(Jointly Administered)
)	
In re:)	Case No. 16-11914 (JLG)
)	
CFG PERU INVESTMENTS PTE. LTD. (SINGAPORE),)	Chapter 11
)	
Debtor.)	(Jointly Administered)
)	

**DECLARATION OF GREGORY F. PESCE IN
SUPPORT OF CREDITOR PLAN PROPONENTS' MOTION
TO ENFORCE THE INJUNCTION ORDER AND CONFIRMATION ORDER**

¹ The debtors in these chapter 11 cases are China Fishery Group Limited (Cayman), Pacific Andes International Holdings Limited (Bermuda), N.S. Hong Investment (BVI) Limited, South Pacific Shipping Agency Limited (BVI), China Fisheries International Limited (Samoa), CFGL (Singapore) Private Limited, Chanery Investment Inc. (BVI), Champion Maritime Limited (BVI), Growing Management Limited (BVI), Target Shipping Limited (HK), Fortress Agents Limited (BVI), Ocean Expert International Limited (BVI), Protein Trading Limited (Samoa), CFG Peru Investments Pte. Ltd. (Singapore), Smart Group Limited (Cayman), Super Investment Limited (Cayman), Pacific Andes Resources Development Limited (Bermuda), Nouvelle Foods International Ltd., Golden Target Pacific Limited, Pacific Andes International Holdings (BVI) Limited, Zhonggang Fisheries Limited, Admired Agents Limited, Chiksano Management Limited, Clamford Holding Limited, Excel Concept Limited, Gain Star Management Limited, Grand Success Investment (Singapore) Private Limited, Hill Cosmos International Limited, Loyal Mark Holdings Limited, Metro Island International Limited, Mission Excel International Limited, Natprop Investments Limited, Pioneer Logistics Limited, Sea Capital International Limited, Shine Bright Management Limited, Superb Choice International Limited, and Toyama Holdings Limited (BVI).

I, Gregory F. Pesce, declare and state as follows:

1. I am a partner at White & Case LLP, counsel to the Creditor Plan Proponents. I submit this declaration in support of the *Creditor Plan Proponents' Motion to Enforce the Injunction Order and Confirmation Order*. This declaration is based on my personal knowledge and my review of the referenced documents.

2. The document attached hereto as **Exhibit 1** is a true and correct copy of the *Order Granting Motion of William A. Brandt, Jr., Chapter 11 Trustee for CFG Peru Investments Pte. Ltd. (Singapore), Pursuant to 11 U.S.C. §§ 105(a), 362(a), and 541(a)(1), for Entry of an Order Confirming Applicability of Automatic Stay to Any Collection Actions Pursued in Peru by Holders of Club Facility and Senior Notes Claims and by Debtor CFIL Against Peruvian Operating Companies* [Docket No. 809] (the “**Injunction Order**”).

3. The document attached hereto as **Exhibit 2** is a true and correct copy of the *Order Confirming Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore)* [Docket No. 2569] (the “**Confirmation Order**”).

4. The document attached hereto as **Exhibit 3** is a true and correct copy of an *Affidavit of Service of Solicitation Materials* [Docket No. 2471] (the “**Affidavit of Service**”).

5. The document attached hereto as **Exhibit 4** is a true and correct copy of the practice statement letter dated September 6, 2021, notifying holders of Senior Notes and the Club Facility Lenders of CFG Investment S.A.C.'s intention to propose a restructuring plan under Part 26A of the Companies Act 2006 (the “**Practice Statement Letter**”).

6. The document attached hereto as **Exhibit 5** is a true and correct copy of the restructuring plan filed in connection with the matter styled as *In the Matter of CFG Investment S.A.C.*, claim number CR-2021-001759 (the “**Restructuring Plan**”).

7. The document attached hereto as **Exhibit 6** is a true and correct copy of the explanatory statement in relation to the Restructuring Plan (the “**Explanatory Statement**”).

8. The document attached hereto as **Exhibit 7** is a true and correct copy of correspondence submitted by Sun Securities Limited to the High Court of England and Wales, dated September 30, 2021 (the “**September 30 Letter**”).

9. The document attached hereto as **Exhibit 8** is a true and correct copy of correspondence the Creditor Plan Proponents sent to Sun Securities Limited on October 25, 2021 (the “**October 25 Letter**”).

10. The document attached hereto as **Exhibit 9** is a true and correct copy of Sun Securities Limited’s response to the Creditor Plan Proponents’ October 25 Letter (the “**Response Letter**”).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury the foregoing is true and correct.

Dated: October 28, 2021

/s/ Gregory F. Pesce

Gregory F. Pesce
White & Case LLP

**CHINA FISHERY GROUP LIMITED (CAYMAN), et al., Case No. 16-11895
and
CFG PERU INVESTMENTS PTE. LTD. (SINGAPORE) Case No. 16-11914**

**DECLARATION OF GREGORY F. PESCE IN SUPPORT OF CREDITOR
PLAN PROPONENTS' MOTION TO ENFORCE THE INJUNCTION
ORDER AND CONFIRMATION ORDER**

Exhibits 1 through 9 of the Declaration of Gregory F. Pesce in Support of Creditor Plan Proponents' Motion to Enforce the Injunction Order and Confirmation Order have been excluded from service due to the size of those documents.

The excluded Exhibits are available for review and downloaded free of charge at the website of the Debtors' Claims and Noticing Agent, Epiq Corporate Restructuring, LLC ("Epiq") at <https://dm.epiq11.com/chinafishery>. The Exhibits are located within Docket No. 2788.

You may also request a copy of the excluded attachments by contacting Epiq via email at TeamLexington@epiqglobal.com.

EXHIBIT B

Claim Name	Address Information
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FOREMAN LAW PLLC	ATTN: MICHAEL E FOREMAN 11 MARTINE AVE, FLOOR 12 WHITE PLAINS NY 10606-1934
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SQUIRE PATTON BOGGS	STACY BALLIN PARTNER AND GENERAL COUNSEL 4900 KEY TOWER 127 PUBLIC SQUARE CLEVELAND, OH 44114 OH 44114
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SUN SECURITIES	RM 805-806 FAR EAST CONSORTIUM BUILDING 121 DES VOEUX ROAD CENTRAL HONG KONG 1001 HONG KONG
SUN SECURITIES	CHAU VINH HENG RM 1504 FAR EAST CONSORTIUM BUILDING 121 DES VOEUX ROAD CENTRAL HONG KONG 1001 HONG KONG
SUN SECURITIES	SAM HUI RM 1504 FAR EAST CONSORTIUM BUILDING 121 DES VOEUX ROAD CENTRAL HONG KONG 1001 HONG KONG
SUN SECURITIES	MAY HO RM 1504 FAR EAST CONSORTIUM BUILDING 121 DES VOEUX ROAD CENTRAL HONG KONG 1001 HONG KONG
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SUN SECURITIES	RAYMOND COLE RM 1504 FAR EAST CONSORTIUM BUILDING 121 DES VOEUX ROAD CENTRAL HONG KONG 1001 HONG KONG
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Total Creditor count 25

EXHIBIT C

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ATL PACIFIC FISHING LTD	ERF 2347 10TH STREET EAST INDUSTRIAL AREA PO BOX 658 WALVISBAY NAMIBIA NAMIBIA
BAKER & MCKENZIE	14/F, ONE TAIKOO PLACE 979 KING'S ROAD QUARRY BAY HONG KONG SAR
BANK OF AMERICA	ATTN: AMANDA MCQUEEN 2 KING EDWARD ST LONDON EC1A 1HQ UNITED KINGDOM
BARAKA SEARI LTD	RM 1401-2 EASEY COMERCIAL BLDNG 253-261 HENNESSY RD WANCHAI, HONG KONG CHINA
BRNDBRG MRT INVST HLDNG	L8, MEDINE MEWS LA CHAUSSEE PORT LOUIS MAURITIUS
BRNDBRG NAM INVT CO	ERF 2347 10TH ST E INDUSTRIAL AREA PO BOX 658 WALVISBAY NAMIBIA NAMIBIA
CHINA CITIC BANK INTERNATIONAL LIMITED	SUITES 2101-2105 & 2113-2114 DEVON HOUSE, TAIKOO PLACE 979 KING'S ROAD QUARRY BAY HONG KONG
CHINA CITIC BANK INTERNATIONAL LTD.	RISK ASSETS MANAGEMENT ATTN: MR. JACK WONG & MR. ANTHONY NG 18/F., DEVON HOUSE, TAIKOO PLACE 979 KING'S ROAD QUARRY BAY HONG KONG CHINA
CITIC	61-65 DES VOEUX ROAD CENTRAL HONG KONG 1001 CHINA
CITY N DST, SHANGHAI ELEC	HUATONG ELEC DSTR DEPT NO 232 WEIHAI RD QINGDAO SHANDONG 266071 CHINA
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GUANGTAI TRADING LTD	TRUST COMPANY COMPLEX AJELTAKE RD AJELTAKE ISLAND MAJURO MH 96960 MARSHALL ISLANDS
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Total Creditor count 46

EXHIBIT D

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EXHIBIT E

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UNITED STATES DEPARTMENT OF THE TREASURY	FINANCIAL STABILITY OVERSITE COUNCIL	202-622-6415

CHINA FISHERY GROUP LIMITED (CAYMAN), et al.

Case No. 16-11895 (JLG)

Fax Service List

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