



FORMAL ORDER

IN THE SUPREME COURT OF JUDICATURE OF JAMAICA

IN THE COMMERCIAL DIVISION

CLAIM NO. SU 2021 CD 00083



IN THE MATTER OF THE COMPANIES ACT OF
JAMAICA

AND

IN THE MATTER OF AN APPLICATION BY A
DIRECTOR OF GRACEKENNEDY LIMITED FOR
DIRECTIONS PURSUANT TO SECTION 130(2) OF
THE COMPANIES ACT OF JAMAICA

AND

IN THE MATTER OF THE HOLDING OF THE
GENERAL MEETINGS OF GRACEKENNEDY
LIMITED

IN CHAMBERS (*BY ZOOM*)

BEFORE THE HON. MR JUSTICE BATTS

ON THE 13TH DAY OF APRIL, 2022

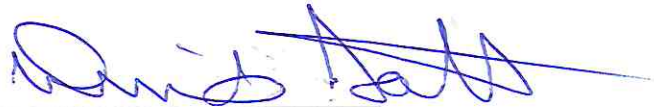
UPON THE APPLICATION FOR COURT ORDERS filed on 1 April 2022, pursuant to section 130 (2) of the Companies Act and the liberty to apply granted to Director Donald Wehby by this Honourable Court in numbered paragraph 8 of its order herein dated 6 May 2021, coming on for hearing on this day, and after hearing Sandra Minott-Phillips, QC and Mrs Shaniel May Brown instructed by Myers, Fletcher & Gordon, Attorneys-at-Law for the Applicant, Director (of GraceKennedy Limited) Mr. Donald Wehby; **AND** Mrs. Gail Moss-Solomon, Attorney-at-Law for GraceKennedy Limited; **AND** Miss Camilla Parris-Campbell, Attorney-at-Law for the Financial Services Commission; **IT IS HEREBY ORDERED THAT:**

1. Notwithstanding the provisions of the Companies Act, the provisions of its Amended Articles of Incorporation or information contained in any notice of a general meeting, information circular or other document that may be or have already been disseminated by GraceKennedy Limited regarding the holding of its upcoming Annual General Meeting (AGM) currently scheduled for 25 May 2022, GraceKennedy Limited may call its said AGM in accordance with this order, and its upcoming AGM, if called in accordance with this order, shall for all purposes be deemed to be an AGM of the company duly called.

.../2

2. In addition to the manner prescribed in the Companies Act and in its Amended Articles of Incorporation, GraceKennedy Limited is permitted by 2 May 2022, as the latest date, to provide its shareholders with notices and documents in connection with the said AGM, by one or more of the following means: electronic mail, pre-paid mail, facsimile, posting to its website, posting to its regulators' website, and publishing in the daily newspapers, with links that can be utilized to view and obtain a copy of the notices and documents.
3. Any notice or document delivered or made available in accordance with this order shall satisfy all requirements for serving documents for the 2022 Annual General Meeting of GraceKennedy Limited or laying such documents before the company at that meeting notwithstanding any provision to the contrary in the Companies Act or the Amended Articles of Incorporation of GraceKennedy Limited.

BY THE COURT



**BATTS, J.
PUISNE JUDGE**

FILED by MYERS, FLETCHER & GORDON of No. 21 East Street, Kingston, Attorneys-at-Law for and on behalf of the Claimant/Applicant, whose address for service is that of his said Attorneys-at-Law. Attention: Sandra Minott-Phillips, QC (Atty. No. 2626). Telephone No. (876) 922-5860-8; Fax No: (876) 922-4811 or 922-8781; Email: sPhillips@mfg.com.jm