

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELIZABETH GREWAL,  
Plaintiff,

No. C 07-04218 CRB

**ORDER**

v.

AMIT CHOUDHURY,  
Defendant.

As discussed at the hearing on February 27, 2009, the Court orders as follows:

1. The Supplemental Order In Aid of Execution filed February 25, 2009 (Docket No. 268) is VACATED to the extent it prohibited defendant Amit Choudhury, Amisil Holdings, and any or Amisil Holdings' or Choudury's agents, assigns, or affiliates from executing, negotiating, or entering into any settlement agreement(s) with Clarium Capital Management LLC in any pending litigation or dispute.

2. Any proceeds of the Clarium Capital Management LLC litigation, whether obtained by settlement or otherwise, shall be deposited with the Clerk of the United States District Court for the Northern District of California.

3. Defendant Amit Choudhury, Amisil Holdings, and any of Amisil Holdings' or Choudury's agents, assigns, or affiliates shall not take any action whatsoever to pledge, transfer, subordinate or otherwise impair any interests of Amisil Holdings.

1           4.       Any monies held by Escrow Agent Barack Ferrazzano Kirschbaum &  
2 Nagelberg LLP in connection with or in any way related to the Escrow Agreement between  
3 Amisil Holdings Limited and Bougainvillea Capital LLC dated November 10, 2008 shall not  
4 be disbursed without the prior approval of this Court.

5           5.       The Court will hold an evidentiary hearing on the Order To Show Cause Re  
6 Contempt at 10:00 a.m. on Thursday, March 5, 2009. The parties are directed to have  
7 present all witnesses whose testimony they wish the Court to consider. At the hearing the  
8 Court will consider, among other things, the ownership of the monies transferred from the  
9 Escrow Agent to the law firm of Manatt, Phelps & Phillips, LLP.

10          6.       Defendant Choudury is directed to provide a copy of this Order to his lawyers  
11 at Manatt Phelps, the Escrow Agent Barack Ferrazzano Kirschbaum & Nagelberg LLP,  
12 Bougainvillia Capital LLC, and Clarium Capital Management LLC.

13                   **IT IS SO ORDERED.**

14 Dated: February 27, 2009



\_\_\_\_\_  
CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE