

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:15-cv-02120-JLK

COMPAÑÍA DE INVERSIONES MERCANTILES S.A.,

Petitioner,

v.

GRUPO CEMENTOS DE CHIHUAHUA, S.A.B. de C.V.,
and GCC LATINOAMÉRICA, S.A. DE C.V.,

Respondents.

ORDER OF ATTACHMENT

This civil action comes before the Court on: (1) Petitioner Compañía de Inversiones Mercantiles S.A.'s ("CIMSA") Petition to Confirm a Foreign Arbitral Award against Respondents Grupo Cementos de Chihuahua, S.A.B. de C.V. ("GCC") and GCC Latinoamérica S.A. de C.V. ("GCC Latinoamérica") (the "Petition") [Doc. # 1]; and (2) Petitioner's *Ex Parte* Motion for Prejudgment Attachment against GCC pursuant to C.R.C.P. 102 and Fed. R. Civ. P. 64 (the "Motion") [Doc. #3].

The Court has reviewed the Petition, the Motion, the documentary evidence attached thereto, the Declaration of Samuel Doria Medina [Doc. # 1-9], and Declaration of Gabriel Hertzberg [Doc. # 1-10], and the applicable law and is fully advised in the premises.

The Court finds that the requirements for the issuance of an order of attachment pursuant to Rule 102 of the Colorado Rules of Civil Procedure ("C.R.C.P."), and Rule 64 of the Federal Rules of Civil Procedure, are satisfied by the Motion and supporting documents.

IT IS ORDERED that:

1. The Motion (Doc. 3) is GRANTED.

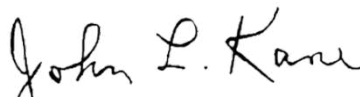
2. Petitioner shall post a bond in the amount of \$100,000, which the Court finds sufficient under C.R.C.P. 102(d), within 10 days of the issuance of this Order.

3. The amount to be secured by this Order of Attachment shall be thirty-six million one hundred thirty-nine thousand two hundred and twenty-three dollars (\$36,139,223), with interest, costs, fees and expenses;

IT IS FURTHER ORDERED that the United States Marshal's Service for the District of Colorado, or any person acting in its stead, is directed to levy, at any time before final judgment, upon any funds, property, investments and assets of GCC situated in the State of Colorado, including any intercompany payables due to GCC from GCC of America, Inc. ("GCC America"), for the purpose of securing the aforesaid sum of \$36,139,223, and that the U.S. Marshal's Service shall proceed hereon within the time prescribed by law;

IT IS FURTHER ORDERED that GCC shall have a right to traverse and to have a hearing to contest this Order of Attachment at a time and in the manner prescribed by law.

BY THE COURT:



JOHN L. KANE
Senior U.S. District Court Judge

Dated this 30th day of September, 2015.