

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BANCO CREDIT SUISSE (MEXICO), S.A. and CASA DE BOLSA CREDIT SUISSE (MEXICO) S.A. DE C.V.	:	Case No. 25 Civ. 01160 (DEH)
	:	
Petitioners,	:	Judge Dale E. Ho
- against -	:	
LUIS MACIAS GUTIERREZ MOYANO,	:	
	:	TEMPORARY RESTRAINING ORDER
	:	
Respondent.	:	

Upon (a) the Petition of Petitioners Banco Credit Suisse (Mexico) S.A. and Casa de Bolsa Credit Suisse (Mexico) S.A. de C.V. (together, “Petitioners”) to Confirm an Arbitral Award and Petitioner’s Motion for a Preliminary Injunction in aid of arbitration pursuant and a Temporary Restraining Order against the Respondent Luis Macias Gutierrez Moyano (“Respondent”), and the Exhibits annexed thereto, (b) the Declaration of Attorney Scott J. Splittergerber in Support of the Petition and Order to Show Cause, and the Exhibits annexed thereto, (c) the Declaration of Rafael Sanchez-Navarro Coraza an attorney licensed to practice in the courts of Mexico, and (d) the accompanying memorandum of law in support of Petitioners’ Order to Show Cause and Petition to Confirm the Arbitral Award and for a Preliminary Injunction and Temporary Restraining Order, and all other pleadings and proceedings heretofore had herein, including the hearing held before the Court on March 5, 2025, it is hereby:

HELD that Petitioners have shown that the elements applicable to their motion for injunctive relief in the form of a Temporary Restraining Order are met here. First, the underlying arbitration award (the “Award”), in which all parties fully and voluntarily participated, requires

that Respondent arbitrate his claims exclusively before the International Chamber of Commerce, and Respondent's efforts to litigate in Mexico threaten to render that award a nullity. Second, as confirmed in the Award, Claimants have a right to arbitration on the merits of their case that would also be rendered a nullity were Respondent not restrained. Both of these factors justify the imposition of the limited injunctive relief sought. Accordingly, it is hereby ordered that:

Pending the resolution of the Petition to Confirm an Arbitral Award and Petitioner's Motion for a Preliminary Injunction in aid of arbitration against Respondent, Respondent (including his attorneys and/or any other agents) is hereby TEMPORARILY RESTRAINED AND ENJOINED from continuing, pursuing or prosecuting his current lawsuit against the Petitioners in the Mexican Federal Labor Court, and from commencing or prosecuting any other such action against Petitioners outside of ICC arbitration that arises out of or relates to Respondent's claims in respect of compensation in connection with certain contingent deferred compensation awards issued to Respondent under the Credit Suisse Group AG Master Share Plan during his periods of employment with Petitioners and confirmed in the separation agreement he entered into departing his employment (the "Claims"); and

IT IS FURTHER ORDERED that service of this Temporary Restraining Order shall be made on Respondent on or before March 6, 2025, in the following manner, which shall constitute good, sufficient and effective service of this Order, pursuant to Rule 4(f) of the Federal Rules of Civil Procedure:

(a) by Email to the email addresses listed below for (i) Respondent, individually, (ii) the law firm of Abascal Flores & Segovia and the attorneys of the firm representing Respondent in the Arbitration, and (iii) the law firm of Diez de Bonilla, Kuri y Asociados, S.C. and the

attorneys of the firm representing Respondent in his lawsuit against Petitioners in the Mexican Federal Labor Court:

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SO ORDERED:



Dale E. Ho
United States District Judge
Dated: March 5, 2025
New York, New York