



ADGM COURTS
محاكم سوق أبوظبي العالمي



In the name of
His Highness Sheikh Khalifa bin Zayed Al Nahyan
President of the United Arab Emirates/ Ruler of the Emirate of Abu Dhabi

**COURT OF FIRST INSTANCE
COMMERCIAL AND CIVIL DIVISION**

IN THE MATTER OF THE FOLLOWING COMPANIES:

1. **NMC Healthcare LTD** (with company number 000004210), including its Dubai branch with license no. 610400 (in administration)

(formerly known as N.M.C Health Care (L.L.C), with license no. 610400)
2. **Al Zahra Pvt. Hospital Company LTD** (with company number 000004237), including its Sharjah branch (in administration)

(formerly known as Al Zahra Pvt. Hospital Company Limited, with license no. 16506)
3. **Bait Al Shifaa Pharmacy LTD** (with company number 000004236), including its Sharjah branch and its branch Bait Al Shifaa Pharmacy LLC Dubai Branch- Jafza, with commercial license no. 164999 (in administration)

(formerly known as Bait Al Shifaa Pharmacy (L L C), with license no. 224351)
4. **Eve Fertility Center LTD** (with company number 000004206), including its Sharjah branch (in administration)

(formerly known as Eve Fertility Center L.L.C, with license no. 539107)
5. **Fakih IVF Fertility Center LTD** (with company number 000004224), including its branches Fakih IVF Fertility Center LLC – Branch 3, with license no. CN-1360709-3, and Fakih IVF Fertility Center LLC – Branch 4 with license no. CN-1360709-4 (in administration)

(formerly known as Fakih IVF Fertility Center L.L.C., with license no. CN-1360709)
6. **Fakih IVF LTD** (with company number 000004220), including its Dubai branch with license no. 666849 (in administration)

(formerly known as Fakih IVF L.L.C, with license no. 666849)
7. **Grand Hamad Pharmacy LTD** (with company number 000004238), including its Sharjah branch (in administration)

(formerly known as Grand Hamad Pharmacy LLC, with license no. 607766)



8. **Hamad Pharmacy LTD** (with company number 000004209), including its Shariah branch (in administration)

(formerly known as Hamad Pharmacy L.L.C, with license no. 118795)
9. **N M C Provita International Medical Center LTD** (with company number 000004240), including its branches N M C Provita International Medical Centre L.L.C. – Branch 1, with license no. CN-1194307-1, Provita International Medical Centre L.L.C. – Branch 2, with license no. CN-1194307-2, and N M C Provita International Medical Centre L.L.C. – Branch 3, with license no. CN-1194307-3 (in administration)

(formerly known as N M C Provita International Medical Center L.L.C., with license no. CN-1194307)
10. **N M C Royal Hospital LTD** (with company number 000004225), including its branches NMC Clinic (BR of NMC Royal Hospital LLC), with license no. 814785, NMC Polyclinic Branch of NMC Hospital LLC, with license no. 163880, NMC DIC Clinic and Pharmacy (BR of NMC Royal Hospital LLC), with license no. 860025, NMC Hospital (BR of NMC Royal LLC), with license no. 878386, and its Dubai branch with license no. 710432 (in administration)

(formerly known as N M C Royal Hospital L.L.C, with license no. 710432)
11. **N M C Royal Hospital LTD** (with company number 000004245) (in administration)

(formerly known as N M C Royal Hospital L.L.C., with license no. CN-2015786)
12. **N M C Royal Medical Centre LTD** (with company number 000004197), including its branches NMC Royal Medical Centre LLC – Branch (Shahama), with license no. CN-2912685, and NMC Royal Medical Centre LLC –Branch (Karama), with license no. CN-2895125, and NMC Royal Medical Centre LLC –Branch 1 (Abu Dhabi), with license no. CN-2150457-1 (in administration)

(formerly known as N M C Royal Medical Centre L.L.C., with license no. CN-2150457)
13. **N M C Specialty Hospital LTD** (with company number 000004217) (in administration)

(formerly known as NMC Specialty Hospital- LLC, with license no. CN-1026386)
14. **N.M.C Specialty Hospital LTD** (with company number 000004241), including its Dubai branch with license no. 562359 (in administration)

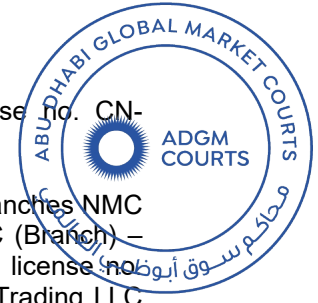
(formerly known as N M C Specialty Hospital (LLC), with license no. 562359)
15. **New Medical Centre LTD** (with company number 000004214), including its Dubai branch with license no. 127562 (in administration)

(formerly known as New Medical Centre L.L.C, with license no. 127562)
16. **New Medical Centre LTD** (with company number 000004216), including trading in Ras Al Khaimah as NMC Royal Dental Centre under license no. 38678, NMC Royal Medical Centre, under license no. 21518 and NMC Royal Pharmacy, under license no. 21669 and including its Sharjah branch and its branches New Medical Centre Ajman LLC-BR, with license no. 95454, and New Medical Centre L.L.C – Branch of Abu Dhabi 2, with license no. CN-1831682 (in administration)

(formerly known as New Medical Centre L L C, with license no. 25954)



17. **New Medical Centre Pharmacy LTD** (with company number 000004253) (in administration)
(formerly known as New Medical Centre Pharmacy - L.L.C – AIain – NMC with license no. CN-1135313)
18. **New Medical Centre Pharmacy LTD** (with company number 000004255), including its Sharjah branch and its branches New Medical Centre Pharmacy/Branch, with license no. 96634, New Medical Centre Pharmacy LLC NMC Branch 1, with license no. 766270 (in administration)
(formerly known as New Medical Centre Pharmacy LLC– N.M.C, with license no. 608411)
19. **New Medical Centre Specialty Hospital LTD** (with company number 000004228) (in administration)
(formerly known as New Medical Centre Specialty Hospital LLC, with license no. CN-1135806)
20. **New Medical Centre Trading LTD** (with company number 000004218), including its branches New Medical Centre Trading LLC Branch 1, with license no. CN-1027356-1, New Medical Centre Trading LLC Branch 2, with license no. CN-1027356-2, and New Medical Centre Trading LLC Branch 3, with license no. CN-1027356-3 (in administration)
(formerly known as New Medical Centre Trading L.L.C, with license no. CN-1027356)
21. **New Pharmacy Company LTD** (with company number 000004230), including its branches New Pharmacy Company WLL – Branch 1, with license no. CN-1029364-1, New Pharmacy Company WLL – Branch 2, with license no. CN-1029364-2, New Pharmacy Company WLL – Branch 4, with license no. CN-1029364-4, New Pharmacy Company WLL – Branch 6, with license no. CN-1029364-6, New Pharmacy Company WLL – Branch 7, with license no. CN-1029364-7, New Pharmacy Company WLL – Branch – (Shahama), with license no. CN-2936047, and New Pharmacy Company WLL – Branch 9, with license no. CN-2832792-9 (in administration)
(formerly known as New Pharmacy Company W L L, with license no. CN-1029364)
22. **New Sunny Medical Centre LTD** (with company number 000004202), including its Sharjah branch (in administration)
(formerly known as New Sunny Medical Centre LLC; N.M.C Medical Center L.L.C Shj. BR 2, with license no. 556959)
23. **NMC Holding LTD** (with company number 000004211) (in administration)
(formerly known as NMC Holding L.L.C., with license no. CN-1210596)
24. **NMC Royal Family Medical Centre LTD** (with company number 000004243) (in administration)
(formerly known as NMC Royal Family Medical Centre L.L.C., with license no. CN-1491505)
25. **NMC Royal Women’s Hospital LTD** (with company number 000004235), including its branch Cooper Health Clinic 1 – Dubai Branch, with license no. 689748 (in administration)



(formerly known as NMC Royal Womens Hospital LL.C., with license no. CN-1532709)

26. **NMC Trading LTD** (with company number 000004233), including its branches NMC Trading LLC Branch-DXB, with license no. 637024, NMC Trading LLC (Branch) – DXB, with license no. 755519, NMC Trading LLC Branch-Ajman, with license no. 57474, NMC Trading LLC RAK Branch, with license no. 32957, NMC Trading LLC (Branch)-Fujairah, with license no. 14167, and its Dubai branch license no. 207104 (in administration)

(formerly known as NMC Trading L L C, with license no. 207104)

27. **Reliance Information Technology LTD** (with company number 000004234) (in administration)

(formerly known as Reliance Information Technology.LLC, with license no. CN-1031535)

28. **Sharjah Pharmacy LTD** (with company number 000004239), including its Sharjah branch (in administration)

(formerly known as Sharjah Pharmacy L.L.C, with license no. 14966)

29. **Sunny Al Buhairah Medical Centre LTD** (with company number 000004199), including its Sharjah branch (in administration)

(formerly known as N.M.C MEDICAL CENTER L.L.C SHJ.BR and Sunny Al Buhairah Medical Centre LLC, with license no. 558052)

30. **Sunny Al Nahda Medical Centre LTD** (with company number 000004232), including its Sharjah branch (in administration)

(formerly known as N.M.C MEDICAL CENTER L.L.C SHJ.BR 4 and Sunny Al Nahda Medical Centre LLC, with license no. 572409)

31. **Sunny Dental Centre LTD** (with company number 000004198), including its Sharjah branch (in administration)

(formerly known as N.M.C Dental Centre L.L.C and Sunny Dental Centre LLC, with license no. 571311)

32. **Sunny Halwan Speciality Medical Centre LTD** (with company number 000004204), including its Sharjah branch (in administration)

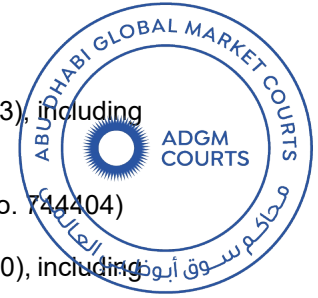
(formerly known as Sunny Halwan Speciality Medical Centre LLC, with license no. 747560)

33. **Sunny Maysloon Speciality Medical Centre LTD** (with company number 000004205), including its Sharjah branch (in administration)

(formerly known as Sunny Maysloon Speciality Medical Centre L.L.C, with license no. 751420)

34. **Sunny Medical Centre LTD** (with company number 000004231), including its Sharjah branch (in administration)

(formerly known as N.M.C MEDICAL CENTER L.L.C SHJ.BR 1 and Sunny Medical Centre LLC, with license no. 212280)



35. **Sunny Sharqan Medical Centre LTD** (with company number 000004203), including its Sharjah branch (in administration)
(formerly known as Sunny Sharqan Medical Centre L.L.C, with license no. 744404)
36. **Sunny Specialty Medical Centre LTD** (with company number 000004200), including its Sharjah branch (in administration)
(formerly known as N.M.C MEDICAL CENTER L.L.C SHJ.BR 3 and Sunny Speciality Medical Centre LL.C., with license no. 545893)

AND IN THE MATTER OF THE INSOLVENCY REGULATIONS 2015

ORDER

JUDGE: Justice Sir Andrew Smith

DATE OF ORDER: 27 September 2020

APPLICATION NO: ADGMCFI-2020-020

UPON the companies listed above being placed into Administration on 27 September 2020 at 18.24 GST (the **Companies and the Administrations**).

UPON READING the unissued application by Richard Fleming and Ben Cairns of Alvarez & Marsal as administrators of the Companies (the **Joint Administrators**) made pursuant to section 109A(2) of the Insolvency Regulations 2015 (as amended by the Insolvency (Amendment No.4) Regulations 2020) (**IR15** and the **Application**), which application the Joint Administrators undertook to the Court to issue forthwith following the hearing of that unissued application.

UPON HEARING Felicity Toubé QC, Adam Al-Attar and Matthew Abraham (for the Joint Administrators) and David Wolfson QC and Andrew Rose (for the Commercial Bank of Dubai).

UPON READING the signed evidence of Richard Fleming dated 19 September 2020 and Romain Lanier dated 19 September 2020.

UPON the Joint Administrators, through leading counsel, undertaking to file the Application and pay the appropriate fees following the making of this order.

UPON the Court being satisfied that the Joint Administrators have been unable to obtain unsecured credit in accordance with section 109A(1) IR15.

UPON the Court being satisfied that, in the circumstances, it is appropriate for the Joint Administrators to enter into the administration financing entered into on 27 September 2020, comprising the following documents: (i) the Common Terms Agreement, (ii) the Commercial Facilities Agreement, (iii) the Master Murabaha Agreement, (iv) the Investment Agency Agreement and (v) the Islamic Rolled Up Facility

Undertaking Agreement, between, among others, NMC Healthcare LTD (in administration), the Joint Administrators (in their capacity as Joint Administrators of the Companies) and Abu Dhabi Commercial Bank PJSC as Facility Agent (the **AFF**).



AND UPON the Court being satisfied that the AFF, as described to the Court in the evidence, is necessary and appropriate for the achievement of the purposes of the Administrations.

AND UPON the Joint Administrators, through their counsel, undertaking to file evidence: (1) exhibiting the signed AFF; (2) confirming that the lenders underwriting the AFF have stated during the course of the hearing that they would not provide finance for a lesser amount to cover the immediate cash needs of the Companies; and (3) confirming that the only preferential creditors would be employees, whose wages are at least typically up to date or at least would be in an administration.

IT IS DIRECTED AND ORDERED THAT:

1. Pursuant to s.109A(2) IR15, the Joint Administrators are permitted, irrespective of prior rights and prohibitions to the contrary, to obtain credit or incur debt, on the terms set out in the AFF.
2. The costs of the Application be treated as an expense in the Administrations with priority over all other expenses of the administration within the meaning of section 109A(2)(a) on an equal basis for each of the Companies save for those expenses in ss.107(1)(a), (c), (f), (g), and (h) IR15.

SERVICE OF THE ORDER

The Court has provided a copy of this order to the solicitors for the Applicants: The Court has provided a copy of this order to the solicitors for the Companies: c/o Sonal Pandya, on behalf of Quinn Emanuel Urquhart & Sullivan, LLP, 90 High Holborn, London WC1V 6LJ, United Kingdom, genmhealth@quinnemanuel.com, Ref: 09916-00002.



Issued by:

**Linda Fitz-Alan
Registrar, ADGM Courts
27 September 2020**