

16 December 2024

TO ALL KNOWN POLICYHOLDERS & CREDITORS

Dear Sir/Madam,

Omnia Ltd. (In Liquidation) (“Omnia” or “the Company”)

Further to the update circulated on 23 September 2024, enclosing the Third Progress Report of the Joint Provisional Liquidators dated 20 September 2024 (the “**Third Progress Report**”), the Provisional Liquidator, Mr. John Johnston (the “**PL**”) writes further to update creditors and policyholders on the progress of the liquidation.

Directions Application

Please refer to section 3.1.4 of the Third Progress Report for a detailed background on the Directions Application. By way of overview, by an Order of the Supreme Court of Bermuda (“Court”) dated 19 January 2024 (the “Procedural Order”), the Honourable Justice Subair Williams provided procedural directions to establish a framework for (i) the admission valuation and payment of Variable Segregated Claims and (ii) the identification of General Account Claims, being such claims which may be asserted by individuals or entities (as creditors) against the Company’s general account (rather than as against any segregated account). The Procedural Order was made contemporaneously with a similar order in respect of a related entity, Northstar Financial Services (Bermuda) Ltd. (In Liquidation) (“Northstar”).

Variable Segregated Claims

As communicated in the Third Progress Report, the PL has been engaging with the Participating Parties who have filed submissions on the directions sought from the Court. The PL anticipates that these discussions will be sufficiently progressed in the near future to allow for progress to be made in respect of the Variable Segregated Claims procedure. The PL will communicate next steps as soon as practicable.

General Account Claims

As mentioned in the Third Progress Report, the JPLs were considering the notifications received and considering the next steps in relation to the General Account Claims process. Following the review of the claims received, the PL has been engaging with key stakeholders in relation to the possible General Account Claims that could be asserted by fixed policyholders against the general account and has been making efforts to resolve (or at least significantly narrow) some of the complex issues surrounding such claims with a view to the PL being in a position in early course to seek sanction of the Court of specified claims on behalf of all fixed policyholders (in respect of both Omnia and Northstar). The PL will provide an update in due course on the further directions sought.

The Consequential Hearing

As you are aware, the consequential proceedings are in relation to the allocation of costs (including the costs of segregation summonses as well as other historical costs of the liquidation and the future costs of the liquidation) as between the policyholders and creditors.

In the Third Progress Report, it was noted that the JPLs were engaging with counsel for the Class Representatives in preparing a draft order giving effect to the Ruling, which order was filed with the Court on 9 August 2024. The PL has also been engaging with counsel for the Class Representatives and the Court regarding how to effectively and efficiently address certain residual and attendant matters arising from the Ruling. It was anticipated that these matters would be addressed in a hearing in December 2024, but, subject to confirmation from the Court, the hearing is now expected to be held in early 2025 due to intervening circumstances.

US Legal Proceedings

A detailed update on the US Legal Proceedings was provided in section 4 of the Third Progress Report.

On 24 September 2024, the US Bankruptcy Court for the Southern District of New York ("Bankruptcy Court") heard oral argument on the Motions to Dismiss the JPLs' complaint by: (1) over 700 Lindberg affiliates, and (2) Edwards Mill Asset Management, LLC. At the conclusion of the hearing, the presiding Judge advised that the Bankruptcy Court would take the matter under advisement and write an opinion. A decision is yet to be issued.

The PL is also closely following other developments in US Courts, including Greg Lindberg's guilty plea to two criminal counts in November 2024, and working with key stakeholders in the proceedings on a potential victim restitution plan to Lindberg's victims, including Omnia. We will keep you updated as these matters progress.

First Meetings of Creditors and Contributories

The current time to hold the first meetings of creditors and contributories was recently extended to 26 March 2025. The timing for the holding of first meetings will be dependent upon the resolution of the matters arising in relation to the Directions Application and, in particular, assessment of the General Account Claims (discussed above).

Holiday Closure Hours

The Company will be closed for year-end holidays, beginning 23 December 2024 through 1 January 2025 and will reopen on 2 January 2025.

Next Steps

The PL does not currently require any action from policyholders and creditors. The PL will continue to keep policyholders and creditors updated on the next steps in the liquidation process.

In the meantime, if you have any questions, please contact us as follows:

Contract Related Queries: Please contact by e-mail at support@omnia.bm

Liquidation Queries: Please contact the PL by e-mail at cbcbmomnia@deloitte.com

Sincerely,
Omnia Ltd. (In Liquidation)