

FREQUENTLY ASKED QUESTIONS

- 1) I am a creditor of ABLV Bank Luxembourg SA (in judicial liquidation) (the “Bank”), where do I have to file my statement of claim (“Claim”)?**

The proof of claim has to be filed with the clerk of the District Court of Luxembourg, sixth section, Palais de Justice Luxembourg, 7, rue du Saint Esprit, L- 2080 Luxembourg.

Please note that the statement of claim can be sent (in original) by registered letter together with the justification documents (in copy) to the following address:

Tribunal d'Arrondissement de et à Luxembourg
6ème section
Cité Judiciaire
7, rue du Saint Esprit
B.P. 15
L-2010 Luxembourg

- 2) Which are the formalities I have to respect in order to file my statement of claim?**

We refer to the sample of statement of claim which is enclosed hereto and which is also published on the website <http://ablvbankluxembourginjudicialliquidation.lu>.

- 3) Do I have to respect a deadline in order to file my statement of claim? What happens if I do not respect this deadline?**

The deadline by which claims must be filed is set for 10 January 2020, at 5:00 p.m. - under penalty of preclusion.

- 4) Can I as a depositor of the Bank apply for repayment by the Luxembourg Deposit Guarantee Fund (“FGDL”)?**

Claimants can apply to the FGDL which covers all eligible deposits of each depositor up to 100,000.- EUR.

In standard circumstances all private individuals are eligible. Please note that there are some exclusions for legal entities.

The Bank sent a claim form and supporting documents to depositors deemed eligible in March 2018 on behalf of FGDL. If you did not received any claim form, please contact your Relationship Manager (RM) or the FGDL (info@fgdl.lu) directly.

Depositors, whose eligible deposits exceed the guaranteed compensation received from the FGDL and who still have a positive balance in the accounts of the Bank in liquidation should file a statement of claim for the balance amount after deduction of the payment made by FGDL.

For further information, you can also refer to the following website:

http://www.fgdl.lu/fileadmin/files/Lois_reglements/Circulaires/CSSF_CPDI/CSSF_CPDI_1602eng.pdf

5) Do I have to file a statement of claim even if the claim is secured by a pledge?

Yes, you still need to file a claim even if this claim is secured by a pledge.

6) Short description of the procedure of verification of the statement of claims?

The claims are verified by the liquidators as and when the statement of claims are filed; the liquidators shall constitute a list of the claims that they consider eligible; each eligible claim is designated by the identity of its holder, its amount and its cause, as well as an indication if the claim is privileged, simple or subordinated. Separately the liquidators shall establish a list of the disputed claims.

7) What happens once my claim is declared eligible?

Throughout the month of March 2020, the list with the claims declared eligible shall be on file with the clerk of the District Court of Luxembourg, (sixth section), where the declared creditors and those inscribed in the balance sheet of the Bank (the “Interested Parties”) can inspect them.

8) Which bank will take a “paying agent” status?

It will be one of the credit institutions in Luxembourg.

9) Can third parties file an objection against my statement of claim appearing on the list of eligible claims?

Throughout the month of March 2020, the Interested Parties can make objections to the claims declared as eligible. The clerk will make a note on the margin of the list. The same objection must be reiterated, under sanction of inadmissibility, within three days, by registered letter addressed to the liquidators. It must contain, under sanction of inadmissibility, the exact identity of the author of the objection, election of domicile in the municipality of Luxembourg, the supporting documents for the objections, as well as the arguments and documents invoked to substantiate the objections.

The admissibility and merits of the objection shall be summarily verified by the liquidators.

After expiry of the deadline for making objections, the undisputed claims which are declared eligible shall be definitely accepted.

The liquidators will inform by registered mail the creditors whose claims have been disputed. Such creditors shall have to notify by bailiff a writ to the liquidators claiming to have the objections removed.

If these creditors fail to proceed by way of summons within a period of 40 days from the mailing date of the registered letter, the claim in question is considered as definitively rejected.

10) Will I be informed if my claim is rejected?

Yes, the liquidators will validly inform by registered letter the creditors whose claims have been disputed.

11) Once my claim has been approved, when will I be paid?

The payment of the receivables will take place after the final report addressed by the liquidators to the Luxembourg Court and the creditors (“reddition des comptes”).

12) In which currency will my claim be paid?

All debts are converted and payable in euros.

13) Can I claim default interest?

Default interest can only be claimed up to the date of the liquidation judgement (02/07/2019).

14) Does the Bank continue to withdraw any fees or charges of my accounts?

On 2 July 2019, the Bank stopped to withdraw fees for account maintenance and security portfolio management. However, custody fees of clients’ discretionary, advisory and brokerage portfolios as well as fees for outgoing transfer of securities will be charged appropriately to “*CEN.131 - Banking fees and charges. Investments*”.