

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 125 OF 2012 (AHJ)

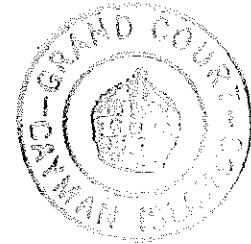
BETWEEN:

- (1) TEMPO GROUP LIMITED
- (2) CHEN CHING CHIH
- (3) MAXIMA RESOURCES CORPORATION

Plaintiffs

AND

- (1) FORTUNA DEVELOPMENT CORPORATION
- (2) FORTUNE EAST ASIA HOLDING CORPORATION
- (3) WYNNER GROUP LIMITED
- (4) BATES GROUP LIMITED
- (5) STEVEN WORD DRISCOLL
- (6) LII SAN-RONG



Defendants

ORDER

UPON reading the joint application of the parties dated 22 August 2014 for permission to use videoconferencing facilities ("VCF") during part of the trial of these proceedings

IT IS ORDERED AND DIRECTED as follows:

- 1 The parties are granted permission to use VCF in order to obtain evidence from Chen Chao Hon, Josephine Niu Ping Tsien and Paul John Hatzer.
- 2 The parties agree to follow the agreed protocol contained in schedule 1 of this order when obtaining evidence by VCF.
- 3 There be no order as to costs.

THIS ORDER was filed by Maples and Calder, attorneys for the Plaintiffs, whose address for service is PO Box 309, Ugland House, Grand Cayman, KY1-1104, Cayman Islands. (Ref: MWI/LLK/606226/04/33008849).

- 10 During examination and cross examination the witness must be able to see the legal representative asking the questions and any other person making statements.
- 11 Everyone present should remain seated during transmission, save for the purposes of passing documents up to witnesses, or attendees leaving to use bathroom facilities in the ordinary course.
- 12 With the permission of the Court, hearings involving evidence being given by VCF are to commence at 9:00 am (Cayman Time) 10:00 pm Hong Kong/Taiwan Time, with refreshment breaks as necessary, or every hour.



DATED this ^{22nd} day of August 2014
FILED this ^{22nd} day of August 2014

Henderson, J.
THE HONOURABLE JUSTICE HENDERSON



Schedule 1 - VCF Protocol

- 1 The Plaintiffs and Defendants are responsible for the VCF arrangements for their own witnesses.
- 2 VCF is to be set up and tested, along with recording equipment, at least 30 minutes prior to the proposed start of the examination of witnesses. (This should include, where possible, equipment to allow for transmission of documents between sites, e.g., document camera, printer or fax machine)
- 3 A copy of the trial bundle is to be made available and set out at the remote site at least 30 minutes prior to the start of the examination.
- 4 Witness and Permitted Persons (as defined below) are to arrive at the remote site at least 20 minutes prior to start of examination.
- 5 Individuals permitted to be in attendance at the VCF to include only:
 - 5.1 The witness giving evidence;
 - 5.2 VCF operator/engineer;
 - 5.3 Recoding operator/engineer; and
 - 5.4 One attorney for each party.
(together the "Permitted Persons").
- 6 Interpreters to be located at the local site (Grand Court room).
- 7 Everyone in attendance at remote site (save for operators and/or engineers) to be visible on camera to ensure no unauthorised prompting of the witness.
- 8 Immediately prior to beginning examination the Judge is to give an explanation to the witnesses as to who is present at the local site (Grand Court room) and how the proceedings are to be conducted.
- 9 Oath to be administered via the VCF.



Henderson, J.