

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION**

0121

FSD CAUSE NO: OF 2014 ()

IN THE MATTER OF a Deed of Settlement dated 3 December 2003 made between Mui Yim Fong and HSBC International Trustee Limited (the "Trust Deed") constituting the Karen Trust (the "Trust")

AND IN THE MATTER OF the Trusts Law (2011 Revision) and GCR Order 85, Rule 2

BETWEEN

HSBC INTERNATIONAL TRUSTEE LIMITED

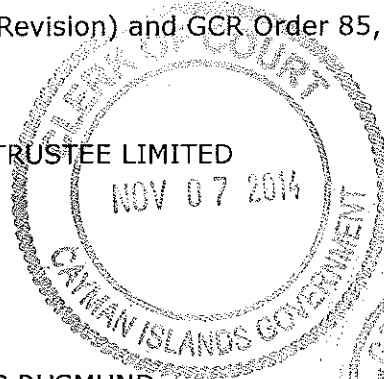
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Plaintiff

-and-

- (1) TAM MEI KAM
- (2) MUI PAK NING RUSMUND
- (3) MUI PAK WAI
- (4) POON CHUN HO
- (5) POON MAN HO
- (6) LAU KAI EDDIE
- (7) NEW HORIZON BUDDHIST ASSOCIATION LIMITED

Defendants



ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before the Judge in Chambers at the Law Courts, George Town, Grand Cayman, Cayman Islands on the _____ day of _____ 2014, at _____ am/pm.

By this Originating Summons, which is issued on the application of the Plaintiff, HSBC International Trustee Limited of Craigmuir Chambers, Road Town, PO Box 71, British Virgin Islands, as trustee of the Trust, against the Defendants (who are beneficiaries of the Trust), the Plaintiff seeks the determination of the Court to the following questions and the following relief pursuant to GCR Order 85, Rule 2(2)(a):

1. Directions as to what steps the Plaintiff should take, if any, to participate in the legal proceedings (including but not limited to applying for a stay and/or dismissal of

proceedings on the grounds of invalid service and/or forum non conveniens, and/or to defend the merits of the claim in the proceedings) brought by the First, Second and Third Defendants against the Plaintiff, in its capacity as trustee of the Trust, in the High Court of the Hong Kong Special Administrative Region Court of First Instance (Action no: HCA 1856 of 2014) (the "Main Proceedings") seeking, among other things, a declaration that the Trust has been validly terminated.

2. If the Court directs that the Plaintiff should participate in the Main Proceedings, specific directions as follows:
 - a. permission that the Plaintiff may instruct Hong Kong Counsel to act on its behalf generally in the Main Proceedings;
 - b. permission that the Plaintiff may instruct and seek expert evidence from Cayman Islands Counsel to assist in the Main Proceedings; and
 - c. the extent of trust documents and information that the Plaintiff should disclose to the Hong Kong Court for the purpose of the Main Proceedings and to any of the beneficiaries who are party to the Main Proceedings.
3. If the Court directs that the Plaintiff should apply for a stay of the Main Proceedings, specific directions as to whether in all the present circumstances:
 - a. The Trust has been validly terminated;
 - b. The Sixth Defendant ("Eddie Lau") and the Seventh Defendant ("New Horizon") have been validly appointed as beneficiaries of the Trust; and
 - c. Clause 33 of the Trust Deed (an information control clause) is unlawful and the Plaintiff has acted in breach of trust in its objection to disclose trust documents and information to the First Defendant.
4. Pending the outcome of the Main Proceedings, directions to the Plaintiff as to the powers and duties upon which it holds the assets of the Trust and any other assets that may be affected by the outcome of the Main Proceedings, including specific directions on any question relating to a distribution request made by any of the beneficiaries of the Trust.
5. If the Court directs that the Plaintiff should participate in the Main Proceedings, an order that the Plaintiff be indemnified against all and any costs and expenses arising

out of, and incidental to, the said action out of the assets of the Trust, including for the avoidance of doubt, its own professional charges at their current published rate for the time of its own employees spent in dealing with the conduct of the litigation.

6. All further and necessary orders and directions as this Court shall think fit, including, if necessary, directions as to any necessary representation orders and service and/or notification of these proceedings.
7. That provision be made for the costs of this application.
8. That the parties be at liberty to apply for further or other relief.

Dated the 7th day of November 2014


APPLEBY (CAYMAN) LTD
Attorneys-at-law for the Plaintiff

NOTE:

- (1) This Summons may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the above date unless renewed by order of the Court.
- (2) If a defendant does not attend personally or by his attorney at the time and place above-mentioned such order will be made as the Court may think just and expedient.

IMPORTANT

Directions for acknowledgement of service are given with the accompanying forms.

THIS ORIGINATING SUMMONS was issued by Appleby (Cayman) Ltd. of Clifton House, 75 Fort Street, PO Box 190, Grand Cayman KY1-1104, Cayman Islands (Ref. 134368.0004/CDP/RL), Attorneys-at Law for the Plaintiff, whose address for service is that of its said Attorneys-at-law.