

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 25 OF 2017

BETWEEN:

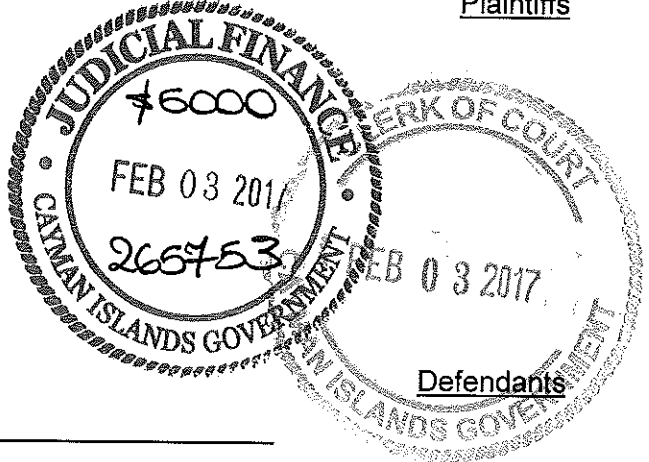
- (1) XIE ZHIKUN
- (2) FORTUNE FAVORS HOLDINGS LIMITED
- (3) SHENGSHI VIEW INTERNATIONAL HOLDING LTD

Plaintiffs

AND

- (1) XIO GP LIMITED
- (2) JOSEPH PACINI
- (3) ATHENE (XIANG) LI
- (4) DORSEY VENTURES LIMITED

Defendants



WRIT OF SUMMONS

TO:

- (1) XiO GP Limited, c/o Intertrust Corporate Services (Cayman) Limited, 190 Elgin Avenue, George Town, Grand Cayman, KY1-9005, Cayman Islands
- (2) Joseph Pacini of an address unknown in Hong Kong Special Administrative Region of the People's Republic of China and/or London, United Kingdom
- (3) Athene (Xiang) Li of an address unknown in the Hong Kong Special Administrative Region of the People's Republic of China or elsewhere in the People's Republic of China
- (4) Dorsey Ventures Limited, c/o Offshore Incorporations (Cayman) Limited, Grand Pavilion, Hibiscus Way, 802 West Bay Road, Grand Cayman, KY1-1205, Cayman Islands

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs in respect of the claim set out on the next page.

Within 14 days (or, if leave is required to effect service out of the jurisdiction, such other period as is specified in the attached Acknowledgment of Service of Writ of Summons) after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Registrar of the Financial Services Division, Court Office, PO Box 495, George Town, Grand Cayman, KY1-1106, Cayman Islands, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 3rd day of February 2017

NOTE - This Writ 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 date of issue unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

GENERAL INDORSEMENT

The Plaintiffs' claims are as follows:

Damages, declarations, injunctive relief and ancillary relief for breach of the fiduciary duties owed to the Plaintiffs arising from the trust and confidence that the First Plaintiff placed in the Second and Third Defendants since April 2014 with respect to their management of investments for the Plaintiffs through the First and Fourth Defendants.

Damages, declarations, injunctive relief and ancillary relief as a result of the Defendants' conspiracy, by which they intended to injure the Plaintiffs by unlawful means, and have combined together to defraud the Plaintiffs and to conceal such fraud and the proceeds of such fraud from the Plaintiffs.

Damages, declarations, injunctive relief and ancillary relief as a result of the Defendants' dishonest assistance of the Second Defendant and Third Defendants' breaches of fiduciary duty referred to above.

Injunctive relief against the First and Fourth Defendants

AND THE PLAINTIFFS claim:

1. Injunctive relief against all Defendants;
2. Damages for conspiracy;
3. An order that the Second and Third Defendants pay equitable compensation to the Plaintiffs for their breaches of their fiduciary duties;
4. An order that the Defendants pay equitable compensation and/or account to the Plaintiffs for their acts of dishonest assistance and hold any sums and/or property received in respect of that assistance on trust for the Plaintiffs;
5. An order that the Defendants hold all sums and/or property received by them in fraud of the Plaintiffs as trustees for the Plaintiffs;
6. An order that the Defendants reconstitute those sums and/or property which they hold on trust for the Plaintiffs;
7. An order that the Defendants account to the Plaintiffs as trustees on the ground of knowing receipt of any monies paid and/or property transferred to them in breach of the Second and Third Defendants' fiduciary duties;
8. An order that the Defendants account to the Plaintiffs for any sums and/or property misappropriated by them and paid away by them or at their direction from the Plaintiffs;
9. An order that the Defendants account to the Plaintiffs for any sums received by them which were secret profits received in fraud of the Plaintiffs;
10. Rescission;
11. Interest pursuant to section 34 of the Judicature Law (2013 Revision) (as amended);
12. Costs;
13. Such further or other relief as the Court thinks appropriate.

Maples and Calder

Maples and Calder

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

- 1 The accompanying form of Acknowledgment of Service should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person.

 After completion it must be delivered or sent by post to the Law Courts, PO Box 495G, George Town, Grand Cayman, KY1-1106, Cayman Islands.

- 2 A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a Defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

 If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

 If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

 If the Defendant fails to serve his Defence within the appropriate time, the Plaintiffs may enter judgment against him without further notice.

- 3 A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See overleaf for Notes for Guidance

Notes for Guidance

- 4 Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
- 5 For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
- 6 Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Writ of Summons)".
- 7 Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "Partner in the firm of (.....)" after his name.
- 8 Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.
- 9 Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorised to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.
- 10 Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
- 11 A Defendant acting in person may obtain help in completing the form at the Courts Office.

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- (3) SHENGSHI VIEW INTERNATIONAL HOLDING LTD

Plaintiffs

AND

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- (2) JOSEPH PACINI
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- (4) DORSEY VENTURES LIMITED

Defendants

**ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes no

3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box)

yes no

Service of the Writ is acknowledged accordingly

(Signed).....

Attorney for

Notes on address for service

Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

Indorsement by plaintiffs' Attorney (or by plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Maples and Calder
PO Box 309
Ugland House
Grand Cayman, KY1-1104
Cayman Islands

Ref: CDM/CJM/LRS/723199

Indorsement by defendant's Attorney (or by defendant if suing in person) of his name, address and reference, if any, in the box below.

[Empty box for defendant's Attorney indorsement]