

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION

CAUSE NO FSD 282 OF 2017

BETWEEN:-

CONVOY GLOBAL HOLDINGS LIMITED

Plaintiff

-v-



- (1) CHO KWAI CHEE ROY
- (2) WONG LEE MAN QUINCY
- (3) MAK KWONG YIU MARK
- (4) TAN YE KAI BYRON
- (5) FONG SUT SUM ROSETTA
- (6) LAM CHI KEUNG
- (7) MA YIU HO PETER
- (8) CHAN NGAI SANG KENNY
- (9) NG MEN KIT BILLY
- (10) LEE DEREK HO YIN
- (11) CHAN LAI YEE CHRISTIE
- (12) POON HOR YEE AMY
- (13) MA CHUN MING
- (14) CHAN SZE LOON ALFRED
- (15) HON SIU HONG
- (16) LAM CHI YUNG PAUL
- (17) WONG MAN SEK
- (18) NG YAO KWOK
- (19) CHAN WANG FAI ANDY
- (20) CHENG WAN HUNG GILBERT
- (21) LING KOON WAH
- (22) EVER ROBUST HOLDINGS LIMITED
- (23) CHINA GREEN (HOLDINGS) LIMITED
- (24) CLASSICTIME INVESTMENTS LIMITED
- (25) FASTEK INVESTMENTS LIMITED
- (26) CHO KWAI YEE KEVIN
- (27) KWOK HIU KWAN
- (28) CHEN PEI XIONG



Defendants

WRIT OF SUMMONS

TO:

- (1) TO THE 1ST DEFENDANT CHO KWAI CHEE ROY of Flat A, 10/F., Tower 3, 5 Fo Chun Road, Providence Bay, Tai Po, New Territories, Hong Kong
- (2) AND THE 2ND DEFENDANT WONG LEE MAN QUINCY of B1, 6/F Beverley Heights, 67 Beacon Hill Road, Kowloon Tong, Kowloon, Hong Kong

- (3) AND THE 3RD DEENDANT MAK KWONG YIU MARK of Flat G, 41/F, Block 1, Bel Air Heights, 1 Lung Poon Street, Diamond Hill, Kowloon, Hong Kong
- (4) AND THE 4TH DEFENDANT TAN YE KAI BYRON of Flat E, 14/F., Everwell Garden, 1 Sheung Hong Street, Ho Man Tin, Kowloon, Hong Kong
- (5) AND THE 5TH DEFENDANT FONG SUT SUM ROSETTA of Flat 10R, Hing Keng Shek, Sai Kung, N.T., Hong Kong
- (6) AND THE 6TH DEFENDANT LAM CHI KEUNG of Flat 10, 14/F., Wing Mei House, Yau Chui Court, Yau Tong, Hong Kong
- (7) AND THE 7TH DEFENDANT MA YIU HO PETER of Flat C, 8th Floor, Tower 3, Sausalito, 1 Yuk Tai Street, Ma On Shan, New Territories, Hong Kong
- (8) AND THE 8TH DEFENDANT CHAN NGAI SANG KENNY of House A1, Jade View Villa, 20 Tsing Tai Road, Siu Lam, Tuen Mun, N.T., Hong Kong
- (9) AND THE 9TH DEFENDANT NG MEN KIT BILLY of Flat B, 23/F, Po Tak Mansion, 85 Smithfield, Kennedy Town, Hong Kong
- (10) AND THE 10TH DEFENDANT LEE DEREK HO YIN of House A2, 11 Pollock's Path, Central, Hong Kong
- (11) AND THE 11TH DEFENDANT CHAN LAI YEE CHRISTIE of Flat B, 20/F., Scholastic Garden, 48 Lyttelton Road, Mid-Levels, Hong Kong
- (12) AND THE 12TH DEFENDANT POON HOR YEE AMY of Flat E, 11/F, Welland Building, 368 Queen's Road Central, Hong Kong
- (13) AND THE 13TH DEFENDANT MA CHUN MING of B1, 3/F, Chermain Heights, 9 Eastbourne Road, Beacon Hill, Kowloon Tong, Kowloon, Hong Kong
- (14) AND THE 14TH DEFENDANT CHAN SZE LOON ALFRED of Flat C, 6/F, 201-3, Prince Edward West, Kowloon, Hong Kong
- (15) AND THE 15TH DEFENDANT HON SIU HONG of 27D, T9, Island Resort, Siu Sai Wan, Hong Kong
- (16) AND THE 16TH DEFENDANT LAM CHI YUNG PAUL of Flat LD, 39/F, Tower 1, the Capitol, Lohas Park, Tseung Kwan O, New Territories, Hong Kong
- (17) AND THE 17TH DEFENDANT WONG MAN SEK of Flat 20A, Block 2, Tung Chung Crescent, Tung Chung, New Territories, Hong Kong
- (18) AND THE 18TH DEFENDANT NG YAO KWOK of Flat C, 27/F, Block 18, South Horizons, Ap Lei Chau, Southern, Hong Kong
- (19) AND THE 19TH DEFENDANT CHAN WANG FAI ANDY of Flat B, 8/F, Tower 7, Parc Royale, Sha Tin, New Territories, Hong Kong

- (20) AND THE 20TH DEFENDANT CHENG WAN HUNG GILBERT of 6/F Harcourt Garden, 3 Belfran Road, Kowloon Tong, Kowloon, Hong Kong
- (21) AND THE 21ST DEFENDANT LING KOON WAH of 46, Shatin Wai, New Village, G/F., Shatin, New Territories, Hong Kong
- (22) AND THE 22ND DEFENDANT EVER ROBUST HOLDINGS LIMITED whose registered office is Room 1703A, 17/F., Harcourt House, 39 Gloucester Road, Wanchai, Hong Kong
- (23) AND THE 23RD DEFENDANT CHINA GREEN (HOLDINGS) LIMITED whose principal place of business in Hong Kong is Room 1106-08, 11/F., The Chinese Bank Building, 61-65 Des Voeux Road Central, Hong Kong
- (24) AND THE 24TH DEFENDANT CLASSICTIME INVESTMENTS LIMITED whose registered office is Vistra Corporate Services Centre, Wickhams Cay II, Road Town, Tortola, VG1110, British Virgin Islands and whose principal place of business in Hong Kong is Unit 503, 5/F, Wing On House, 71 Des Voeux Road Central, Hong Kong
- (25) AND THE 25TH DEFENDANT FASTEK INVESTMENTS LIMITED whose registered office is Vistra Corporate Services Centre, Wickhams Cay II, Road Town, Tortola, VG1110, British Virgin Islands and whose principal place of business in Hong Kong is Block C, 17/F., 381 Sha Tsui Road, Tsuen Wan, New Territories, Hong Kong
- (26) AND THE 26TH DEFENDANT CHO KWAI YEE KEVIN of Flat B, 36/F, Block 5, Monte Vista, 9 Sha On Street, Shatin, New Territories, Hong Kong
- (27) AND THE 27TH DEFENDANT KWOK HIU KWAN of Flat A, 45/F., Tower 8, Residence Bel-Air, Hong Kong
- (28) AND THE 28TH DEFENDANT CHEN PEI XIONG of Units A-D, 6/F, Golden Sun Centre, 59-67 Bonham Strand West, Sheung Wan, Hong Kong

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff, Convoy Global Holdings Limited, of Cricket Square, Hutchins Drive, P.O. Box 2681, Grand Cayman, KY1-1111, Cayman Islands in respect of the claim set out on the next page.

Within 14 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495G, George Town, Grand Cayman, 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 Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

ISSUED this 28th day of December 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 PLAINTIFF'S claim is for, as against all the defendants and each of them:

1. Recognition by way of the common law of any judgment made in Hong Kong SAR proceedings with short title HCA2922/2017 with concomitant orders as to case management of the claim herein to effect the same;
2. An order as against the 21st to 26th Defendants (the *Alleged Independent Placees*) that the allotment of the Wrongfully Allotted Shares (defined below) be set aside;
3. A declaration as against the 27th and 28th Defendants that the transfer of shares to each of them from on or around July to October 2017 is null and void and/or invalid and/or rescinded (the *Wrongly Allotted Shares*);
4. A declaration that the 1st Defendant, and his associates (including but not limited to the 2nd to 8th; and 11th Defendants) on the Plaintiff's board of directors acted in breach of fiduciary, common law and/or statutory duties owed to the Plaintiff by procuring the allotment of the Wrongfully Allotted Shares to the Alleged Independent Placees.
5. A permanent injunction as against the 27th and 28th Defendants, that they be restrained from exercising the voting rights of, or transferring or otherwise dealing with their interest in, the Wrongfully Allotted Shares;
6. Rectification of the register of members of the Plaintiff pursuant to section 46 of the Companies Law (2016 Revision) (the *Law*) to reflect 2-4 above and a direction that notice of such rectification be given to the Registrar of Companies in accordance with the Law;
7. The Defendants pay the Plaintiff damages sustained by it in such amount as the Court may determine;
8. Interest under section 34 of the Judicature Law (2007 Revision) alternatively pursuant to the equitable jurisdiction of the Court;
9. Further and other relief; and
10. Costs.

Harney Westwood & Riegels

Harney Westwood & Riegels
Attorneys-at-Law for the Plaintiff

THIS WRIT was issued by Harney Westwood & Riegels, Attorneys at Law for the Plaintiff, whose address for service is 4th Floor, Harbour Place, 103 South Church Street, PO Box 10240, Grand Cayman, Cayman Islands KY1-1002 (Ref: INM/NXH/LBG/050424.0002).