

Made on Behalf of: Applicant
Affidavit of: Chris Hands
Exhibit: CH-1
Date sworn:
Date filed:

IN THE GRAND COURT OF THE CAYMAN ISLANDS
IN THE MATTER OF PHOENIX TREE HOLDINGS LIMITED
IN THE MATTER OF GCR ORDER 50, RULE 11

G 75 / 2020

BETWEEN:

Harney Westwood & Riegels



AND

Yuanzhe Fu



AFFIDAVIT OF CHRIS HANDS



I, CHRIS HANDS, of 3501, The Center, 99 Queen's Road Central, Hong Kong, MAKE OATH
AND SAY AS FOLLOWS:

- 1 I am employed by the Applicant, Harney Westwood & Riegels, as Credit Manager Asia and I am duly authorised to make this affidavit on behalf of the Applicant in support of the Stop Notice in relation to the shares and payments referred below.
- 2 Save where the contrary is indicated, the contents of this affidavit are within my knowledge and are true. Where I have been informed of matters by others, I believe them to be true. I am now shown a bundle of true copy documents which evidence certain of the facts deposed to herein which is marked "Exhibit CH-1". References to a page number herein is a reference to the corresponding page number in Exhibit JE-1.
- 3 The Defendant goes by multiple aliases such as Venny, Venicia, etc. Her PRC ID number is E06567777.

- 4 By an Engagement Letter dated 22 January 2019, the Defendant instructed the Applicant to act on the Defendant's behalf in relation to issues of ownership and control of several entities, including Huangpu River Ventures Limited (*HRVL*), and its respective assets in relation to a dispute between the Defendant and her ex-husband, and to give advice and representation where appropriate (*Engagement*). On 23 April 2020, the Applicant formally ceased acting for the Defendant and terminated the engagement in writing. HRVL is an exempted company incorporated under the Companies Law (2000 Revision) (as amended) of the Cayman Islands with company registration number 303658 and its registered office is at Maples Corporate Service Limited, P.O. Box 309, Uglan House, South Church Street, George Town, Grand Cayman KY1-1104, Cayman Islands. The Defendant stated that she was a director of HRVL and held 40% of its issued shares at the time of the engagement (the *Shares*).
- 5 The Applicant performed services in accordance with the engagement letter upon the instructions of the Defendant.
- 6 Pursuant to the terms of the Engagement the Applicant issued the following invoices, which remain unpaid:
- a) Invoice Number 1358117 dated 28 March 2019 in the amount of US\$24,056.75. A copy of the Invoice is annexed to page 1 of the Exhibit; and
 - b) Invoice Number 1365729 dated 9 December 2019 in the amount of US\$2,278.38. A copy of the Invoice is annexed to page 2 of the Exhibit.
- 7 The total amount due to the Applicant pursuant to the invoices is US\$26,335.13 (the *Debt*).
- 8 The Defendant has not settled the invoices as at the date of this affidavit nor responded to any requests to make payment of the said invoices. Following issue of the invoices the Applicant requested payment of the 28 March 2019 invoice on 13 June 2019, 19 July 2019, 26 July 2019, 2 August 2019, and after issue of the 16 December 2019 invoice, payment of the Debt was sought on 8 January 2020 and 28 February 2020 .

- 9 Pursuant to the Terms and Conditions of Engagement, if the Defendant disputes any part of the invoice in good faith, she must do so within 30 days of receipt of the invoice after which time the invoice shall be treated for all purposes as agreed. Accordingly the Debt is agreed by the Defendant to be due and payable. It was also mentioned in the same Terms and Conditions that *"where any sums are not paid within 45 days of an invoice, interest shall become payable on the invoice from the date of the invoice at an annual rate of 8.5%."* Defendant was informed on 28 February 2020 that the outstanding interest of the Debt was US\$1,977.22 as of that date and it would continue to accrue at a daily rate of US\$6.13.
- 10 As a result, the Applicant intends to enforce its entitlement to the Debt and its interest against the Defendant's assets in the Cayman Islands and claims a beneficial interest in 100% of the shares beneficially and/or legally owned by the Defendant in HRVL including all rights to dividends, interest and other income payable in relation to the Defendant's shares and all shares, securities, rights, monies or other property offered or issued in respect of the Shares as a contingent judgment creditor under the enforcement proceedings to which this paragraph refers.
- 11 I therefore seek a Stop Notice over the Shares.

Conclusion

- 12 For the foregoing reasons, the Shares and the nature of the Applicant's beneficial interest in the Shares has been identified herein and I verily believe this application satisfies the requirements of Order 50 r. 11 of the Grand Court Rules.
- 13 I respectfully ask this Honourable Court to issue the stop notice in respect of the Securities.

SWORN by the above-named

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this 24th day of April 2020

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at the office of *Robertsons*
57/F The Center
99 Queen's Road Central
Central, Hong Kong

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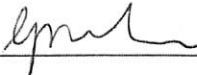
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CHRIS HANDS

BEFORE ME:

Ko Ka Wai Grace
Solicitor, Hong Kong SAR
ROBERTSONS



A COMMISSIONER TO ADMINISTER OATHS/NOTARY PUBLIC

THIS AFFIDAVIT was filed by Harney Westwood & Riegels, Attorneys-at-Law for the Application, whose address for service is 3rd Floor, Harbour Place, 103 South Church Street, PO Box 10240, Grand Cayman KY1-1002, Cayman Islands (Ref: 051960.0001/JWE).

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BETWEEN:

Harney Westwood & Riegels

APPLICANT

AND

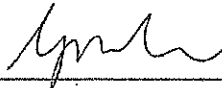
Yuanzhe Fu

DEFENDANT

EXHIBIT CH-1

I hereby certify that these are the documents referred to as Exhibit CH-1 in the Affidavit of
CHRIS HANDS before me this 24th day of April 2020.

BEFORE ME:



Ko Ka Wai Grace
Solicitor, Hong Kong SAR
ROBERTSONS

A COMMISSIONER TO ADMINISTER OATHS/NOTARY PUBLIC

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BETWEEN:

Harney Westwood & Riegels

APPLICANT

AND

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DEFENDANT

STOP NOTICE

TO: Huangpu River Ventures Limited c/o Maples Corporate Service Limited, P.O.
Box 309, Uglan House, South Church Street, George Town, Grand Cayman
KY1-1104, Cayman Islands

TAKE NOTICE that the Shares and payments referred to in the affidavit to which this Notice is annexed, consist of the following:

All and any other shares of Huangpu River Ventures Limited beneficially owned by and/or registered in the name of Yuanzhe Fu (*Shares*) including all dividends, interest and other income payable in relation to the Shares.

This Notice is intended to stop the registration of the transfer of the Securities until 14 days after the Applicant has been served with notice of any intended transfer and not the payment of any dividend or interest due thereon.


CHRIS HANDS
On behalf of Harney Westwood & Riegels