

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION

CAUSE NO FSD 187 OF 2020 ( )



BETWEEN

GRANDVIEW HOLDINGS LIMITED

Plaintiff

- and -

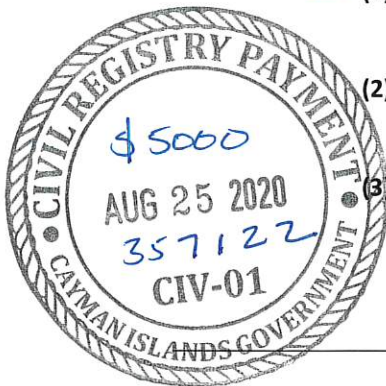
(1) TYCHE INVESTMENT HOLDINGS LIMITED  
(a company incorporated in the British Virgin Islands)

(2) CHRISTOPHER KENNEDY  
(as former Joint Official Liquidator of Blue Ridge China DFSS Holdings)

(3) MATTHEW WRIGHT  
(as former Joint Official Liquidator of Blue Ridge China DFSS Holdings)



Defendants



GENERALLY INDORSED WRIT OF SUMMONS

**TO:** Tyche Investment Holdings Limited  
Ellen Skelton Building  
3076 Sir Francis Drake Highway  
Road Town, Tortola  
British Virgin Islands

**AND TO:** Christopher Kennedy  
Flagship Building, 2<sup>nd</sup> Floor  
70 Harbour Drive  
George Town KY1-1104  
Grand Cayman  
Cayman Islands

**AND TO:** Matthew Wright  
Richmond House  
Ann's Place  
St Peter Port  
Guernsey  
GY1 2NU

**THIS WRIT OF SUMMONS** has been issued against you by the above-named Plaintiff in respect of the claim set out below.

Within:

- i. 14 days after the service of this Writ on you if you are served within the Cayman Islands, or
- ii. the time required by the order granting leave to effect service out of the jurisdiction if you are served outside of the Cayman Islands,

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 Plaintiffs may proceed with the action and judgment may be entered against you forthwith without further notice.

**ISSUED** this 24<sup>th</sup> day of August 2020.

**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 OF CLAIM**

The Plaintiff's claim arises out of the Cayman Islands winding up proceedings of Blue Ridge China DFSS Holdings (the **Company**), which commenced on 20 September 2013 pursuant to an order of the Grand Court of the Cayman Islands and concluded upon dissolution of the Company by order of the Grand Court on 27 January 2015.

Specifically, the Plaintiff claims that the Company suffered loss due to the fact that its sole asset, the entire share capital of Colour Zone Limited (a company incorporated in Hong Kong), was sold by the Second and Third Defendants in their capacity as the joint official liquidators of the Company to the First Defendant at an undervalue.

The Plaintiff was at the time a 66.7% shareholder of the Company. The Plaintiff brings this claim pursuant to a Deed of Assignment and Release dated 22 July 2020 whereby any and all causes of action vested in the Company were assigned by the Government of the Cayman Islands to the Plaintiff.

**AND THE PLAINTIFF** claims the following relief:

Against the First Defendant:

1. A declaration that the sale of Colour Zone Limited to the First Defendant and the underlying sale and purchase agreement be rescinded;
2. Further or alternatively, a declaration that the sale of Colour Zone Limited to the First Defendant and the underlying sale and purchase agreement is void and of no effect;
3. Further or alternatively, damages for fraudulent misrepresentation and/or unlawful means conspiracy, each in an amount that accurately reflects the difference between the purchase price paid by the First Defendant and the fair value of Colour Zone Limited at the time of the sale.

Against the Second and Third Defendants:

4. Further or alternatively, damages and/or equitable compensation in an amount that accurately reflects the difference between the purchase price and the fair value of Colour Zone Limited at the time of the sale.

Against all Defendants:

5. The costs of and occasioned by bringing this claim and any interest thereupon that the Court considers just.



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**Harney Westwood & Riegels**  
**Attorneys for the Plaintiff**

**THIS WRIT** was issued by Harney Westwood & Riegels, Attorneys-at-Law for the Plaintiff, whose address for service is 3<sup>rd</sup> Floor, Harbour Place, 103 South Church Street, PO Box 10240, Grand Cayman KY1-1002, Cayman Islands (Ref: 053234.0002.KLP/MYB).