



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

CAUSE NO. FSD 122 OF 2019 (RMJ)

IN THE MATTER OF THE COMPANIES ACT (2018 REVISION)

AND IN THE MATTER OF GLOBAL CORD BLOOD CORPORATION

BETWEEN:

- (1) JAYHAWK CAPITAL MANAGEMENT, LLC**
- (2) JHMS FUND, LLC**
- (3) KENT C MCCARTHY**

Plaintiffs

And

- (1) GLOBAL CORD BLOOD CORPORATION**
- (2) MARK D CHEN**
- (3) JENNIFER J WENG**
- (4) KEN LU**

Defendants

**IN CHAMBERS
9 and 19 APRIL 2021
BEFORE THE HON. JUSTICE MCMILLAN**

ORDER

UPON the Originating Summons issued by the Plaintiffs dated 25 June 2019 (the "**Originating Summons**")

AND UPON the Summons for Strike Out issued by the First Defendant dated 20 January 2021

AND UPON reading the Third Affidavit of Chen Bing Chuen Albert dated 20 January 2021, the Third Affidavit of Michael Schmitz dated 15 March 2021, the Fourth Affidavit of Chen Bing Chuen Albert

THIS ORDER was filed by Carey Olsen, attorneys-at-law for the First Defendant, whose address for service is Level 1, Willow House, Cricket Square, Grand Cayman, Cayman Islands (Ref: 1070721.0001).

dated 29 March 2021, the First Affidavit of Shannon McKinnon dated 31 March 2021, and the First Affidavit of James Noble dated 1 April 2021, and the Exhibits thereto

AND UPON HEARING counsel for the Plaintiffs, Leading Counsel for the First Defendant, and counsel for the Second to Fourth Defendants

IT IS HEREBY ORDERED that:

1. The Originating Summons is dismissed pursuant to the inherent jurisdiction of the Court.
2. The Plaintiffs shall pay the Defendants' costs of the proceedings incurred on or after 17 July 2019, including, for the avoidance of doubt, the Defendants' costs of and occasioned by the hearings on 13 September 2019, 9 April 2021 and 19 April 2021, to be taxed on the standard basis if not agreed.
3. There shall be no order as to costs in respect of the parties' costs incurred prior to 17 July 2019.

Dated the 15 day of June 2021

Filed the 15 day of June 2021



The Honourable Justice McMillan
JUDGE OF THE GRAND COURT

THIS ORDER was filed by Carey Olsen, attorneys-at-law for the First Defendant, whose address for service is Level 1, Willow House, Cricket Square, Grand Cayman, Cayman Islands (Ref: 1070721.0001).

Approved as to form and content:



Campbells
Attorneys for the Plaintiffs

Approved as to form and content:



Carey Olsen
Attorneys for the First Defendant

Approved as to form and content:



Maples and Calder (Cayman) LLP
Attorneys for the Second to Fourth Defendants

THIS ORDER was filed by Carey Olsen, attorneys-at-law for the First Defendant, whose address for service is Level 1, Willow House, Cricket Square, Grand Cayman, Cayman Islands (Ref: 1070721.0001).