



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

CAUSE NO. FSD OF 2022 ()

BETWEEN:

STREETERVILLE CAPITAL, LLC

Plaintiff

- and -

MOLECULAR DATA INC.

Defendant

WRIT OF SUMMONS

TO: MOLECULAR DATA INC.
R/O Maples Corporate Services Limited
P. O. Box 309
Ugland House,
South Church Street,
George Town,
Grand Cayman KY1-1104
Cayman Islands

THIS **WRIT OF SUMMONS** has been issued against you by the above-named Plaintiff 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 495 GT, Grand Cayman, Cayman Islands, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement 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 19th day of April 2022.

This **WRIT OF SUMMONS AND STATEMENT OF CLAIM** was issued by Broadhurst LLC, Attorneys for the Plaintiff, whose address for service is 4th Floor, Monaco Towers, 54 Edward Street, George Town, PO Box 2503, Grand Cayman, Cayman Islands (Ref: 683-1/ICL). 1

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 issued unless renewed by order of the Court.

IMPORTANT

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

STATEMENT OF CLAIM

1. The Plaintiff is a Utah, United States of America limited liability company with its principal place of business in Chicago, Illinois, United States of America whose address is 303 East Wacker Drive, Suite 1040, Chicago, Illinois, 60601, United States of America.
2. The Defendant is a corporation incorporated in the Cayman Islands under registration number 333706, whose registered office is at Maples Corporate Services Limited, PO Box 309, Uglan House, South Church Street, George Town, Grand Cayman, KY1-1104 Cayman Islands, and whose principal place of business is Shanghai, China.
3. On 21 October 2021, the Plaintiff commenced an action against the Defendant in the Third Judicial District Court of Salt Lake County of the State of Utah, in the United States of America Case No. 210905709 (the “**Utah Proceedings**”).
4. On 22 November 2021, the Plaintiff submitted an Amended Complaint against the Defendant in the Utah Proceedings.
5. The Utah Court having jurisdiction over the Utah Proceedings in accordance with the laws of Utah, United States of America, granted the Plaintiff’s 5 January 2022 Motion for Summary Judgment and on 8 March 2022, Final Judgment was entered in the Utah Proceedings in favour of the Plaintiff against the Defendant (the “**Final Judgment**”). The Defendant did not dispute the jurisdiction of the Utah Court and did not participate in the Utah Proceedings.
6. The Final Judgment was entered in the Utah Proceedings in favour of the Plaintiff against the Defendant as follows:
 - (1) The Plaintiff is awarded judgment against the Defendant in the following amounts:
 - a. Principal and Interest - US\$1,645,707.67
 - b. Attorney Fees & Costs - US\$28,195.28
 - c. **TOTAL: US\$1,673,902.95** (the “**Judgment Amount**”).

This **WRIT OF SUMMONS AND STATEMENT OF CLAIM** was issued by Broadhurst LLC, Attorneys for the Plaintiff, whose address for service is 4th Floor, Monaco Towers, 54 Edward Street, George Town, PO Box 2503, Grand Cayman, Cayman Islands (Ref: 683-1/ICL). 2

- (2) In accordance with Section 1(b) of Debenture 1, as defined in the Plaintiff's Motion for Summary Judgment, the Final Judgment shall accrue interest at a rate of fifteen percent (15%) per annum, beginning on January 6, 2022, and continuing until the Judgment Amount and all accrued interest are paid in full. The Plaintiff may augment the Final Judgment from time to time by submitting one or more fee declarations through counsel, along with a proposed augmented Final Judgment.
 - (3) The Plaintiff is authorized to sell the Purchase Shares, as defined at Section 8 of the Purchase Agreement, and apply the proceeds to the Judgment Amount's outstanding balance.
 - (4) In accordance with Section 4(a) of Debenture 1 and Section 8 of the Purchase Agreement, the Defendant is specifically ordered to authorize the delivery of ADSs (as defined at Section 14(a) of Debenture 1) for the Purchase Shares, plus all other Ordinary Shares (as defined at Section 14(m) of Debenture 1) that MKD has issued or will issue pursuant to the Plaintiff's Conversion Notices.
 - (5) The Defendant is permanently enjoined from issuing any ADSs or Ordinary Shares to any individual or entity other than the Plaintiff until the Final Judgment is satisfied in full.
 - (6) The Plaintiff is awarded a Writ of Attachment against all of the shares in the Required Reserve Amount, as defined at Section 4(g) of the Purchase Agreement, or that should be in the Required Reserve Amount.
7. Wrongfully the Defendant has not paid the Final Judgment and the entire amount of the Final Judgment remains outstanding.
 8. Interest has accrued on the Judgment Amount at a rate of fifteen percent (15%) per annum, beginning on 6 January 2022 up to and including 28 March 2022 in the amount of US\$71,542.15 and interest continues to accrue thereon at the daily rate of US\$687.90.

AND THE PLAINTIFF CLAIMS FROM THE DEFENDANT:

- (1) US\$1,673,902.95 being the Judgment Amount ordered in the Final Judgment broken down as follows:
 - a. Principal and Interest - US\$1,645,707.67; and
 - b. Attorney Fees & Costs - US\$28,195.28.
- (2) US\$71,542.15 being the interest that has accrued on the Judgment Amount at a rate of fifteen percent (15%) per annum, beginning on 6 January 2022 up to and including 19 April 2022.
- (3) Accrued interest on the Final Judgment at a rate of fifteen percent (15%) per annum, from 20 April 2022 and continuing until the Judgment Amount and all accrued interest are paid in full.

This **WRIT OF SUMMONS AND STATEMENT OF CLAIM** was issued by Broadhurst LLC, Attorneys for the Plaintiff, 3 whose address for service is 4th Floor, Monaco Towers, 54 Edward Street, George Town, PO Box 2503, Grand Cayman, Cayman Islands (Ref: 683-1/ICL).

(4) Alternatively, pre and post judgment interest pursuant to Section 34 of the *Judicature Act (2021 Revision)* and the *Judgment Debts (Rates of Interest) Rules (2021 Revision)*.

(5) Costs.

Dated this 19th day of April 2022



Broadhurst LLC

Attorneys-at-Law for the Plaintiff

STATEMENT REGARDING INTEREST

1. The Third Judicial District Court of Salt Lake County of the State of Utah, in the United States of America awarded interest on the Final Judgment in the amount of US\$1,673,902.95 at a rate of fifteen percent (15%) per annum beginning on 6 January 2022.
2. The total interest as of 19 April 2022 is US\$71,542.15.
3. The interest continues to accrue at a daily rate of US\$687.90.
4. Alternatively, interest is claimed pursuant to the *Judicature Act (2021 Revision)* and the *Judgment Debts (Rates of Interest) Rules (2021 Revision)* at the rate of 2.375% from 8 March 2022 on the Final Judgment of US\$1,673,902.95, currently amounting to US\$5,228.16 increasing at a daily rate of US\$108.92.

This **WRIT OF SUMMONS AND STATEMENT OF CLAIM** was issued by Broadhurst LLC, Attorneys for the Plaintiff, 4 whose address for service is 4th Floor, Monaco Towers, 54 Edward Street, George Town, PO Box 2503, Grand Cayman, Cayman Islands (Ref: 683-1/ICL).

**DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE
OF WRIT OF SUMMONS**

1. The accompanying form of *Acknowledgement 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.

2. A defendant who states in the Defendant's Acknowledgement of Service that the Defendant 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 endorsed 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 that Defendant's defence within the appropriate time, the Plaintiff may enter judgment against the Defendant 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 the Defendant intends to apply for a stay, execution will be stayed for 14 days after the Defendant's Acknowledgement, but the Defendant must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of the Defendant's means. The affidavit should state any offer which the Defendant desires to make for payment of the money by installments or otherwise.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgement of Service and return it to the Courts Office.
2. 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 the Defendant.

3. Where the Defendant is sued in a name different from the Defendant's own, the form must be completed by the Defendant with the addition in paragraph 1 of the words "sued as (*the name stated on the Writ of Summons*)".
4. 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 that Partner's name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN THAT PERSON'S OWN, the form must be completed by the Defendant with the addition in paragraph 1 of the description "trading as (.....)" after that Defendant's name.
6. 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 steps in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

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STREETERVILLE CAPITAL, LLC

Plaintiff

- and -

MOLECULAR DATA INC.

Defendant

**ACKNOWLEDGEMENT OF SERVICE
OF WRIT OF SUMMONS**

If you intend to instruct an Attorney to act for you, give that Attorney this from 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 or otherwise participate in 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, the Defendant must give the Defendant’s post office box number and the physical address of the defendant’s residence or, if the Defendant does not reside in the Cayman Islands, the Defendant must give an address in Grand Cayman where communications for the Defendant should be sent. In the case of a limited company, “residence” means its registered or principal office.

Indorsement by plaintiff’s Attorney (or by plaintiff if suing in person) of that Plaintiff’s name, address and reference, if any, in the box below.

Broadhurst LLC
4th Floor, Monaco Towers, 54 Edward Street,
George Town, PO Box 2503, Grand Cayman,
Cayman Islands (Ref: 683-1/ICL).

Indorsement by defendant’s Attorney (or by defendant if defending in person) of that defendant’s name, address and reference, if any, in the box below.

[Empty rectangular box for defendant's indorsement]