



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

CAUSE NO: FSD OF 2022 ()

IN THE MATTER OF THE COMPANIES ACT (2022 REVISION)

AND IN THE MATTER OF AURABEAT TECHNOLOGY INTERNATIONAL

BETWEEN

PHILIP YUEN

PLAINTIFF

AND

AURABEAT TECHNOLOGY INTERNATIONAL

SZE TO GIN NAM

LO SHUK YEE

DEFENDANTS

ORIGINATING SUMMONS

TO: Aurabeat Technology International
 PO Box 10008, Willow House, Grand Cayman KY1-1001, Cayman Islands

Sze To Gin Nam

Flat B, 37/F, Blk 1, Phase 3, Belvedere Garden, Tseun Wan, N.T., Hong Kong

Lo Shuk Yee

Flat B, 37/F, Blk 1, Phase 3, Belvedere Garden, Tseun Wan, N.T., Hong Kong

LET THE DEFENDANTS, within 14 days after service of this Summons on them, counting the day of service, return the accompanying Acknowledgement of Service to the Courts office, PO Box 495G, George Town, Grand Cayman KY1-1106, Cayman Islands.

By this Summons, which is issued on the application of Philip Yuen of 11/F, Block H, Golden Bear Industrial Centre, 66-82 Chai Wan Kok Street, Tsuen Wan, Hong Kong, the Plaintiff seeks against the Defendants:

1. Declarations that:
 - (i) the members of the Company herein are those persons listed on the register of members held at the registered office of the Company as at the date of this Originating Summons, and as will be more particularly described in the supporting evidence to this Originating Summons;
 - (ii) the directors of the Company are (a) Mr Philip Yuen; and (b) Ms Lai Yi Kwok;
 - (iii) the register of members and register of directors currently held at the registered office of the Company reflecting the information in (i) and (ii) are a correct and accurate record of the lawful members and directors of the Company; and
 - (iv) the extraordinary general meeting of the members of the Company held on 13 April 2022 was validly convened and the resolutions passed therein were valid and binding on the Company;
2. Costs; and
3. Such further order as the Court deems fit.

If any Defendant does not acknowledge service, such judgment may be given or order made against or in relation to him or her as the Court may think just and expedient.

Dated this 19th day of April, 2022



Harney Westwood & Riegels

Attorneys-at-Law for and on behalf of the Plaintiff

NOTE: This Summons 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.

THIS ORIGINATING SUMMONS was issued by Harney Westwood & Riegels, Attorneys-at-Law for the Plaintiff, whose address for service is 3rd Floor, Harbour Place, 103 South Church Street, PO Box 10240, Grand Cayman KY1-1002, Cayman Islands (Ref: 058047-0001-JGW/LF).

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE OF ORIGINATING SUMMONS

The accompanying form of Acknowledgment 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 KY1-1106, Cayman Islands.

Notes for Guidance

- 1 Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
- 2 If you wish to defend claims made in the originating summons, or intend to attend the proceedings and to participate in them so far as necessary (although not necessarily in an adversarial manner) you should tick the "Yes" box in paragraph 2 of the acknowledgment of service.
- 3 For the purpose of calculating the period of 14 days for acknowledging service, an originating summons served on the Defendant personally is treated as having been served on the day it was delivered to him.
- 4 Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Originating Summons)".
- 5 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 his name.
- 6 Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.
- 7 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 step in the proceedings without an Attorney acting on its behalf.
- 8 Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
- 9 A Defendant acting in person may obtain help in completing the form at the Courts Office.

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ACKNOWLEDGEMENT OF SERVICE OF ORIGINATING SUMMONS

If you intend to instruct an Attorney to act for you, give him this form 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.

1 State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

2 State whether the Defendant intends to contest the application (tick appropriate box)

yes no

Service of the Originating Summons is acknowledged accordingly

(Signed) _____

Attorney for

Address for service:

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, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands,

he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited company, “residence” means its registered or principal office.

Please complete overleaf

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

Harney Westwood & Riegels
3rd Floor, Harbour House
103 South Church Street
PO Box 10240
Grand Cayman KY1-1002
Cayman Islands
(Ref: 058047-0001-JGW/LJF)

Indorsement by Defendant's Attorney (or by Defendant if suing in person) of his name, address and reference, if any, in the box below).