



IN THE GRAND COURT OF THE CAYMAN ISLANDS

FINANCIAL SERVICES DIVISION

CAUSE NO. FSD OF 2023 ()

BETWEEN:

(1) SIGMA GLOBAL FUND SPC – ASIA HIGH YIELD FIXED INCOME SP

(2) SIGMA GLOBAL FUND SPC – CHI ACQUISITION CORPORATION I SP

Plaintiffs

AND

GORILLA TECHNOLOGY GROUP INC.

Defendant

WRIT OF SUMMONS

TO: Gorilla Technology Group Inc, c/o Maples Corporate Services Limited, P. O. Box 309, Uglund 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.

This Writ was issued by Ogier (Cayman) LLP for the Plaintiffs, whose address for service is: 89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (CVL/NJC/504872.00003)

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, P.O. Box 495, George Town, Grand Cayman KY1-1106, 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 Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Dated this 30th day of June 2023

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.

A concise statement of the nature of the claim made together with the relief or remedy required in the action is set out below.

The plaintiffs' claim is for the following relief:

- 1 A declaration that, on the true construction of the Amended and Restated Memorandum and Articles of Association of the Defendant dated 13 July 2022 (the "**Articles**"), and in particular Article 19 thereof, and in the events which have happened, the Defendant, acting by its board of directions, breached its contract with the Plaintiffs comprised in the Articles, by failing to include in the Notice of Annual General Meeting dated 14 June 2023 the business that the Plaintiffs, as shareholders, had sought to bring before the AGM by their notice dated 12 May 2023, namely that:
 - (a) WONG Chi-kit, CHUNG Fu Wing and LAM Tsz Chung be appointed as directors of the Company; and

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- (b) Jayesh Chandan, Gregg Walker and Evan Medeiros be removed as directors of the Company.

(Together the "**Proposed Directors' Resolutions**")

- 2 An injunction restraining the Company from holding the annual general meeting that is due to take place on 12 July 2023, or any general meeting that does not include on its agenda the Proposed Directors' Resolutions.
- 3 Further, or alternatively, a declaration that, in light of the Company's failure to include the Proposed Directors' Resolutions in the 14 June 2023 Notice, the AGM that is due to take place on 12 July 2023 has not been validly called, and that any business conducted at the said meeting, and any resolutions passed, are of no effect.
- 4 An order that the Company, acting by its board of directors, do forthwith give a new notice of general meeting, such notice to include the Proposed Directors' Resolutions, with the new general meeting to take place as soon as reasonably practicable after the hearing of the Plaintiffs' claim herein.

AND THE PLAINTIFF claims:

- 1 Declarations, orders and an injunction as aforesaid;
- 2 Further or other relief; and
- 3 Costs.



Ogier (Cayman) LLP

This Writ was issued by Ogier (Cayman) LLP for the Plaintiffs, whose address for service is:
89 Nexus Way, Camana Bay, Grand Cayman KY1-9009, Cayman Islands (CVL/NJC/504872.00003)

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

- 1 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.
- 2 After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495, George Town, Grand Cayman KY1-1106.
- 3 A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).
- 4 If a Statement of Claim is indorsed 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.
- 5 If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 28 days after a Statement of Claim has been served on the Defendant.
- 6 If the Defendant fails to serve his Defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.
- 7 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 he intends to apply for a stay, execution will be stayed for [14] days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an Affidavit of his means. The Affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See overleaf for Notes for Guidance.

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 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 him.
- 3 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 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 of paragraph 1 of the description “Partner in the firm of _____” after his name.
- 5 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.
- 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 step in the proceedings without an Attorney acting on his 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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AND

GORILLA TECHNOLOGY GROUP INC.

Defendant

**ACKNOWLEDGMENT OF SERVICE
OF WRIT OF 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.

Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

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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 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.

Attorneys-at-law for the Defendant

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 principal office.

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

Ogier (Cayman) LLP
89 Nexus Way
Camana Bay
Grand Cayman KY1-9009

Ref: 504872.00003

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