



## COURT OF THE CAYMAN ISLANDS

## FINANCIAL SERVICES DIVISION

CAUSE NO. FSD OF 2023

## BETWEEN:

- (1) TRUSTBRIDGE PARTNERS III L.P.
- (2) TRUSTBRIDGE PARTNERS V, L.P.
- (3) BAIDU HOLDINGS LIMITED

Plaintiffs

-and-

- (1) CHINA MEDONLINE INC.
- (2) KONGFUTECH INC.

Defendants

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**ORIGINATING SUMMONS**

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**TO: CHINA MEDONLINE INC.,** c/o VISTRA (Cayman) Limited. Grand Pavilion, Hibiscus Way, 802 West Bay Road, Grand Cayman, KY1-1205, Cayman Islands

**AND TO: KONGFUTECH INC.,** c/o OMC Chambers, Wickhams Cay 1, Road Town, Tortola, British Virgin Islands

**LET THE DEFENDANTS,** within 14 days after the service of this Originating 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.

This Originating Summons is issued on the application of **Trustbridge Partners III L.P., Trustbridge Partners V L.P., and Baidu Holdings Limited,** c/o Harney Westwood & Riegels, 3<sup>rd</sup> Floor, Harbour Place, 103 South Church Street, PO Box 10240, KY1-1002, Grand Cayman, Cayman Islands for the following orders or relief:

1. An order that the Second Defendant do cause one of the current directors appointed by it to resign from the board of directors of the First Defendant.
2. Alternatively, an order that the First Defendant do cause its register of directors to be amended to show the removal of one of the current directors appointed by it and the appointment of a person nominated by the preferred shareholders.
3. An order restraining the Second Defendant from preventing the Plaintiffs or the shareholders holding preferred shares of the Company exercising their rights to appoint a director to fill the vacancy created by the resignation referred to in paragraph 1 or interfering with their right to do so.
4. Such further or other relief that the Court deems appropriate.
5. Costs

If the Defendants do not acknowledge service, such judgment may be given or order made against the Defendants or in relation to it as the Court may think just and expedient.

Dated this 14<sup>th</sup> day of November 2023



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**Harney Westwood & Riegels**  
**Attorneys-at-Law for the Applicant**

**NOTE:** This Originating Summons may be served no later than 4 calendar months (or if leave is required to effect service out of jurisdiction, 6 months) beginning with that date unless renewed by order of the Court.

**IMPORTANT**

Directions for Acknowledgement of Service are given with the accompanying form.

This **ORIGINATING SUMMONS** was filed by Harney Westwood & Riegels, Attorneys-at-Law for and on behalf of the Applicants, 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.

**A      ACKNOWLEDGEMENT OF SERVICE OF ORIGINATING SUMMONS**  
**(O.10, R.5)**

DIRECTIONS FOR ACKNOWLEDGEMENT OF SERVICE  
OF ORIGINATING SUMMONS

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 495GT, George Town, Grand Cayman.

**B      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 Court 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 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 THE 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 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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS FINANCIAL SERVICES DIVISION

CAUSE NO: FSD No. OF 2023

BETWEEN

- (1) TRUSTBRIDGE PARTNERS III L.P.
- (2) TRUSTBRIDGE PARTNERS V, L.P.
- (3) BAIDU HOLDINGS LIMITED

Plaintiffs

-and-

KONGFUTECH INC.

Defendant

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**ACKNOWLEDGEMENT OF SERVICE OF ORIGINATING SUMMONS**

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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.

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

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

yes  no

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

Harney Westwood & Riegels  
3<sup>rd</sup> Floor, Harbour House  
103 South Church Street  
PO Box 10240  
Grand Cayman KY1-1002  
Cayman Islands  
**(Ref:061470.0004/VAL)**

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