



GRAND COURT OF THE CAYMAN ISLANDS
DIVISION

CAUSE NO: OF 2024

BETWEEN:

(1) TWVC GOLDLINK PARTNERS LIMITED
(2) TWVC PANGLIN GROUP INVESTMENT LIMITED

PLAINTIFFS

AND

APOLLOMICS INC.

DEFENDANT

WRIT OF SUMMONS

TO: **APOLLOMICS INC.** of Conyers Trust Company (Cayman) Limited, PO Box 2681, Cricket Square, Hutchins Drive, George Town, Grand Cayman, Cayman Islands.

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiffs, TWVC Goldlink Partners Limited and TWVC Panglin Group Investment Limited, c/o Forbes Hare, Cassia Court, 10 Market Street Suite 716, Camana Bay, Grand Cayman, KY1-9006, Cayman Islands, in respect of the claim set out on the next page.

Within 28 days or such other period as the court may direct 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 495G, George Town, Grand Cayman, 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.

Issued this 12th day of July 2024

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.

GENERAL INDORSEMENT

1. This is a claim by the Plaintiffs, investors in the Defendant, an exempted Cayman Islands company limited by shares.
2. The Plaintiffs acquired Series C Preferred Shares in the Defendant. The rights attaching to those shares were set out in Schedule A to the Fifth Amended and Restated Memorandum and Articles of Association (the “**MAA**”).
3. Those rights included a right to redeem the Plaintiffs’ shareholdings after 31 December 2021 if there had not been a “Qualified IPO” by that date. No such Qualified IPO occurred, and the Plaintiffs exercised their right to redeem by issuing a Redemption Notice on 6 December 2022, specifying a Redemption Date of 23 January 2023. The MAA set out a mechanism for calculating the Redemption Price.
4. Pursuant to the MAA and in particular Section 7.3 of Schedule A:
 - (1) the Defendant was under an obligation to pay the Redemption Price no later than the Redemption Date, unless it did not have sufficient cash or funds legally available to redeem all of the shares at that date, in which case it was to redeem the shares and pay the outstanding redemption price as soon as it had legally available funds to do so, until all such shares had been fully redeemed (the “**Rolling Redemption Obligation**”); and/or
 - (2) the Defendant was under an obligation to redeem all of the shares (and to pay the outstanding Redemption Price) at the latest by 6 June 2024, being the date 18 months after the date on which the Plaintiffs’ Redemption Notice was delivered (the “**Long-stop Redemption Obligation**”).
5. In breach of these obligations, the Defendant has not redeemed the Plaintiffs’ shares or paid the Redemption Price, whether by the Redemption Date, as funds became available, by 6 June 2024, or at all.

AND THE PLAINTIFF CLAIMS:

- 1) Payment of the Redemption Price to be calculated as set out in the MAA; and/or
- 2) Damages for breach of the Rolling Redemption Obligation, to be assessed; and/or
- 3) Damages for breach of the Long-stop Redemption Obligation, to be assessed.
- 4) Interest on a compound or simple basis on any sum found to be due to the Plaintiffs, whether pursuant to (a) section 34 of the Judicature Act (2021 Revision) and the Judgment Debts (Rates of Interest) Rules (2021 Revision); and/or (b) the Court's equitable jurisdiction, at such rate and for such period as the Court shall deem fit.
- 5) Such further and/or other relief as the Court thinks fit.
- 6) Costs.

Dated this 12th day of July 2024



Forbes Hare
Attorneys-at-law for the Plaintiff

THIS WRIT was issued by Forbes Hare, Attorneys-at-law for the Plaintiff, whose address for service is: Cassia Court, Suite 716, 10 Market St, Camana Bay, Grand Cayman KY1-9006, Cayman Islands (AJHA).

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.

After completion it must be delivered or sent by post to the Law Courts, PO Box 495, George Town, Grand Cayman KY1-1106, Cayman Islands.

2. A Defendant who states in his Acknowledgement 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).

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 of 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 his defence within the appropriate time, the Plaintiff may enter judgment against him 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 Acknowledgement of Service, that he intends to apply to for a stay, execution will be stayed for 14 days after his Acknowledgement, 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.

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 writ, 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 28 days or such other period as the court may direct for acknowledging service, a writ 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 “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.

IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION

CAUSE NO. FSD OF 2024

BETWEEN:

(1) TWVC GOLDLINK PARTNERS LIMITED
(2) TWVC PANGLIN GROUP INVESTMENT LIMITED

PLAINTIFFS

AND

APOLLOMICS 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.**

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ of Summons 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.

[Attorney] for
[Defendant in Person]
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 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.

Forbes Hare
Cassia Court
10 Market Street, Suite 716
Camana Bay
Grand Cayman, KY1-9006
Cayman Islands
(Ref: PS/LM)

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