



DALAM MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
( BAHAGIAN DAGANG)

GUAMAN SIVIL NO: 07 - 22 - 805 - 07

ANTARA

SECURITIES COMMISSION

...PLAINTIF

DAN

1. LEE KEE SIEN, ALBERT
2. CHOO MUN HOE, KELVIN
3. AMIR BIN HASSAN
4. DYNAMIC REVOLUTION SDN BHD  
(No. Syarikat: 630734-T)
5. SWISS MUTUAL FUND (1948) S.A.
6. SMF INTERNATIONAL LIMITED
7. SMF (1948) INTERNATIONAL LIMITED

...DEFENDAN-  
DEFENDAN

**WRIT SAMAN**

YANG AMAT ARIF TUN DATO' SRI AHMAD FAIRUZ BIN DATO'  
SHEIKH ABDUL HALIM, KETUA HAKIM NEGARA, S.S.M, P.S.M.,  
S.P.M.K., S.J.M.K., S.P.M.S., S.S.D.K., S.S.A.P., S.S.M.Z.,  
S.P.M.T., D.S.M.T., D.S.D.K., S.M.J., S.M.S., B.C.K., P.I.S.,  
MENJALANKAN KUASA-KUASA DAN TUGAS-TUGAS HAKIM  
BESAR MALAYA ATAS NAMA DAN BAGI PIHAK SERI PADUKA  
BAGINDA YANG DI-PERTUAN AGONG.

Kepada :-

- 1) LEE KEE SIEN, ALBERT  
D3-6, Apartment Orchid  
Jalan Cemara  
Taman Bukit Serdang  
Section 13  
43300 Seri Kembangan  
Selangor D E

Dan/Atau

- 2) CHOO MUN HOE, KELVIN  
No. 15, Jalan 60/26  
Taman Sri Rampai  
Setapak  
53300 Kuala Lumpur

Dan/Atau

- 3) AMIR BIN HASSAN  
No. 19, Jalan Juara 2/1  
Taman Juara Jaya  
43300 Sri Kembangan  
Selangor D E

Dan/Atau

- 4) DYNAMIC REVOLUTION SDN BHD  
(No. Syarikat: 630734-T)  
No. 14-1-1 (B), Metro Prima  
Jalan Prima 7, Batu 7  
52100 Kuala Lumpur

Dan/Atau

- 5) SWISS MUTUAL FUND (1948) S.A  
The Commonwealth of Dominica  
P O Box 2342  
Roseau  
The Commonwealth of Dominica

Dan/Atau

di atas dan ambil perhatian bahawa, jika kamu ingkar berbuat demikian, Plaintiff boleh meneruskan untuk mendapatkan penghakiman dan pelaksanaan.

DISAKSIKAN oleh  
~~Kanan Pendaftar~~ di Mahkamah Tinggi Malaya pada  
 haribulan \_\_\_\_\_, 2007.

S. Kalyana Kumar  
 Timbalan Pendaftar  
 Mahkamah Tinggi, Kuala Lumpur.

Penolong  
 19 JUN 2007

.....  
 Peguamcara bagi pihak  
 Plaintiff

C  
 S. Kalyana Kumar  
 Timbalan Pendaftar  
 Mahkamah Tinggi, Kuala Lumpur.  
 Penolong Kanan Pendaftar,  
 Mahkamah Tinggi, Kuala Lumpur

#### MEMORANDUM YANG HENDAK DITURUNKAN PADA WRIT

Writ ini tidak boleh disampaikan lebih daripada enam bulan kalendar selepas tarikh di atas melainkan jika diperbaharui melalui perintah Mahkamah.

Defendan (atau Defendan-Defendan) boleh hadir bersama dengan memasukkan kehadiran (atau kehadiran-kehadiran) samada sendiri atau melalui peguamcara di Pejabat Pendaftaran Mahkamah Tinggi di Kuala Lumpur.

Defendan (atau Defendan-Defendan) yang hadir sendiri boleh, jika dikehendakinya, memasukkan kehadirannya melalui pos, dan borang-borang yang berkenaan bolehlah didapati dengan menghantar kiriman Pos berharga RM10-00 bersertakan sampul surat beralamat sendiri kepada Pendaftar, Mahkamah Tinggi di Kuala Lumpur.

Writ ini dikeluarkan oleh Tetuan Tommy Thomas, No. 101, Jalan Ara, Bangsar, 59100 Kuala Lumpur, Peguamcara bagi Plaintiff-Plaintif tersebut yang alamatnya ialah di Level 2, Block D, Kompleks Pejabat Damansara, Jalan Dungun, Damansara Heights, 50490 Kuala Lumpur. Plaintiff-Plaintif adalah bermastautin di dalam wilayah terjadual, sebagaimana yang ditakrifkan dalam Akta Kawalan Pertukaran, 1953. [Ruj Kami: AAG/20072819] (Tel: 03-2287 3540) (Fax: 03-2284 8892) [C:\Alan\2819-SC-SwissCash-SC v SwissCash - faired]

**PENGINDORSAN TENTANG PENYAMPAIAN**

Writ ini telah disampaikan oleh  
dengan cara

kepada Defendan

pada hari , haribulan , 2007.

Diindorskan pada haribulan , 2007.

Penghantar Saman.

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Penghantar Saman

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Penghantar Saman

IN THE HIGH COURT OF MALAYA AT KUALA LUMPUR  
(COMMERCIAL DIVISION)

CIVIL SUIT NO. : - 22 - OF 2007

BETWEEN

SECURITIES COMMISSION ... PLAINTIFF

AND

1. LEE KEE SIEN, ALBERT
2. CHOO MUN HOE, KELVIN
3. AMIR BIN HASSAN
4. DYNAMIC REVOLUTION SDN BHD  
(Company No. 630734-T)
5. SWISS MUTUAL FUND (1948) S.A.
6. SMF INTERNATIONAL LIMITED
7. SMF (1948) INTERNATIONAL LIMITED ... DEFENDANTS

**STATEMENT OF CLAIM**

**A. PARTIES**

1. The Plaintiff ("the Securities Commission" or "SC") is established pursuant to Section 3 of the Securities Commission Act, 1993. The Securities Commission has all the functions and

powers conferred upon it "inter alia" by or under the Securities Industry Act, 1983 ("SI Act"), the Securities Industry (Central Depositories) Act, 1991, the Securities Commission Act, 1993, and the Futures Industry Act, 1993 ("securities laws").

2. The functions of the SC specified in Section 15 (1) of the Securities Commission Act ("the SC Act"), insofar as they are relevant to this suit, include:-

- "(i) to regulate all matters relating to securities and future contracts;
- (ii) to ensure that the provisions of the securities laws are complied with;
- (iii) to take all reasonable measures to maintain the confidence of investors in the securities and future markets by ensuring adequate protection for such investors; and
- (iv) to suppress illegal, dishonourable and improper practices in dealings in securities and trading in future contracts, and the provision of investment advice or other services relating to securities or future contracts."

3. The SC is an “*enforcement agency*” within the meaning of the *Anti-Money Laundering And Anti-Terrorism Financing Act, 2001* (“*AMLA*”) and, in consequence is entitled to exercise powers granted to it thereunder.

4. The 1<sup>st</sup> Defendant (“*Albert*”) is a Malaysian citizen who was at all material times ordinarily resident in Malaysia, having a last known address at D3-6, Apartment Orchid, Jalan Cemara, Taman Bukit Serdang, Section 13, 43300 Seri Kembangan, Selangor. *Albert* is, was at all material times, the Chief Executive Director of the 4<sup>th</sup> Defendant (“*Dynamic Revolution*”) and the registered holder of 50,000 shares, out of the total paid up share capital of 100,000 shares issued by *Dynamic Revolution*.

5. The 2<sup>nd</sup> Defendant (“*Kelvin*”) is a Malaysian citizen. To the knowledge of SC, he is ordinarily resident in Malaysia having a last known address at No. 15, Jalan 60/26, Taman Sri Rampai, Setapak 53300 Kuala Lumpur. *Kelvin* is, was at all material times, a director of *Dynamic Revolution* and the registered holder of the other 50,000 shares, out of the total paid up share capital of 100,000 shares issued by *Dynamic Revolution*.

6. The 3<sup>rd</sup> Defendant ("Amir") is a Malaysian citizen. To the knowledge of SC, he is ordinarily resident in Malaysia having an address at 19, Jalan Juara 2/1, Taman Juara Jaya, 43300 Sri Kembangan, Selangor. Amir is the founder and/or creator of the "[www.dreamkaya.biz](http://www.dreamkaya.biz) blog", a log on the World Wide Web that promotes different kinds of investments on the internet including *inter alia*, high yield investment plans.

7. Dynamic Revolution is a company incorporated under the laws of Malaysia, having its registered address at 14-1-1(B) Metro Prima, Jalan Prima 7, Batu 7 Kepong, 52100 Kuala Lumpur. Dynamic Revolution is, and was at all material times, engaged in the business of IT solutions, e-commerce, software and telecommunication software.

8. To the knowledge of SC, the 5<sup>th</sup> Defendant ("Swiss Mutual Fund") is allegedly a fund management company based at the date hereof in The Commonwealth of Dominica with an address at P.O. Box 2342, Roseau, The Commonwealth of Dominica (an island of the Caribbean in South America).

9. The 6<sup>th</sup> Defendant ("SMF International") is a company incorporated in the British Virgin Islands, with a registered

address at P O Box 957, Offshore Incorporations Centre, Road Town, Tortola, British Virgin Islands.

10. The 7<sup>th</sup> Defendant ("SMF [1948]") is a company incorporated in the British Virgin Islands, with a registered address at P O Box 957, Offshore Incorporations Centre, Road Town, Tortola, British Virgin Islands.

11. The 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Defendants are companies controlled and directed by Albert, who is the moving spirit, dominant personality and alter ego of the said companies.

## **B. SWISSCASH & SWISS MUTUAL FUND**

### **i) Background**

12. The SwissCash fund ("SwissCash") is an investment program offered through the Internet at [www.swisscash.biz](http://www.swisscash.biz) and/or [www.swisscash.net](http://www.swisscash.net) and/or [www.swissmutualfund.biz](http://www.swissmutualfund.biz) ("SwissCash website"). The SwissCash website claims that SwissCash is a sector of business of the Swiss Mutual Fund (1948) S.A. ("Swiss Mutual Fund"), a fund management company allegedly set up in 1948 by the Cheviot family of France and operating in Berne, Switzerland for 48 years before shifting to

The Commonwealth of Dominica in 1996 due to changes in financial regulations in Europe. The SwissCash website lists Swiss Mutual Fund's addresses at P.O. Box 2342, Roseau, The Commonwealth of Dominica, and at 280 Madison Avenue, 912 - 9<sup>th</sup> Floor, New York. NY10016, U.S.A ("the New York Office").

13. Albert, Kelvin and/or Amir caused the establishment of SwissCash and Swiss Mutual Fund. Although neither SwissCash and Swiss Mutual Fund has any connection with Switzerland, Albert, Kelvin and/or Amir deliberately and dishonestly chose names which ostensibly have a connection with Switzerland thereby giving the impression that SwissCash and Swiss Mutual Fund are in fact schemes linked to Switzerland which is world famous in financial matters and noted for its sophisticated financial standing and integrity.

14. The SwissCash fund allegedly invests and holds itself as investing in *inter alia*, offshore development projects, hedging, equity (a portfolio of stocks), high yield investments, commodities and foreign exchange ("FOREX"). SwissCash and Swiss Mutual Fund have been soliciting investments through the internet media from *inter alia*, the Malaysian public, offering a return of up to 300% within 15 months of investment.

ii) The Scheme

15. The SwissCash scheme requires a minimum investment of US\$100 and an additional payment of US\$30 for activation of an investor's trading account. Upon receipt of payment, SwissCash issues an Investment Certificate to the investor concerned as proof of investment which an investor may download and print off from the SwissCash website. Investments in SwissCash apparently started in December 2005 with most investors becoming aware of SwissCash through community blogs (world wide web logs), internet advertisements, from members of individual webpages or blogs including [www.dreamkaya.biz](http://www.dreamkaya.biz) and other means. SwissCash also made available to their investors a SwissCash "replicating website" which its investors could utilize to further promote the SwissCash scheme. Some investors also promoted the schemes through their personal websites.

16. Insofar as Malaysian investors are concerned, investments are made by wire / telegraphic transfer (t.t.) through banks carrying on business in Malaysia into bank accounts at, *inter alia*, the Federal Bank of the Middle East Ltd. in Cyprus, Barclays Bank Ltd. Jersey in the Channel Islands and at the HSBC Bank in Hong Kong, and *via* online money transfer utilizing

the SwissCash Chinese Bank Gateway. Investments could also be made by purchasing "e-points" from existing investors. E-points are allegedly a type of electronic currency devised by the Defendants as part of the workings of the SwissCash scheme where one e-point is equivalent to US\$1. SwissCash and Swiss Mutual Fund have succeeded in soliciting substantial investments exceeding hundreds of millions of Ringgit from investors based or residing in Malaysia.

### C. CONTROL OVER SWISSCASH

#### i) Albert Lee

17. Albert engaged one New York Executive Office Inc. to set up Swiss Mutual Fund's New York Office. The New York Office is in fact merely a "virtual office" set up by the said New York Executive Office Inc. for Swiss Mutual Fund, whereby the former provides Swiss Mutual Fund with a New York address and telephone number, and mail forwarding and telephone services. Mail addressed to SwissCash and Swiss Mutual Fund at the New York Office are forwarded to Albert at Suite 905, Amcorp Tower, 18 Persiaran Barat, Petaling Jaya 46200 Selangor, the business address of Dynamic Revolution at the material time. Faxes

received at the New York Office are forwarded to Albert's e-mail address.

18. Albert was also responsible for instructing the said New York Executive Office Inc. Company on the precise method of answering telephone calls and fielding questions directed at SwissCash and/or Swiss Mutual Fund. All telephone calls received by the operators are recorded, summarized and delivered by e-mail to Albert. Payments for services relating to the operations of the New York Office were at all material times paid through credit cards belonging to Albert or Kevin.

ii) Kelvin Choo

19. Kelvin joined Dynamic Revolution towards the end of 2003. In addition to being a director and shareholder, he, is and was at all material times its Chief Programmer. As Chief Programmer, Kelvin is involved in *inter alia*, the creation of websites for Dynamic Revolution's clients. Kelvin is also responsible for ensuring that projects are implemented and delivered on time.

20. On or about 1 March 2005, Swiss Mutual Fund (at the directions of Albert and/or Kelvin) engaged the services of

Dynamic Revolution (also directed by Albert and/or Kelvin) to create the SwissCash website. Kelvin set up the SwissCash website and is responsible for its maintenance. Albert is held out as Swiss Mutual Fund's contact person for matters pertaining to the development of the SwissCash website.

21. The SwissCash website is hosted on a server operated by one Prolexic Technologies in Florida, USA. The charges for hosting the SwissCash website are paid through Kelvin's credit card.

**iii) Amir bin Hassan**

22. Amir holds himself out as an investment advisor and actively promotes the SwissCash scheme through his [www.dreamkaya.biz](http://www.dreamkaya.biz) blog. Amir has solicited investments amounting to US\$83 million for the SwissCash scheme, and has been acquainted with Albert since 2003.

**iv) Dynamic Revolution**

23. Dynamic Revolution is one of the corporate vehicles utilized by Albert and Kelvin in the setting up of SwissCash and Swiss Mutual Fund's operations. Dynamic Revolution also

actively collaborates with Swiss Mutual Fund in offering investment facilities, and in promoting the SwissCash funds. Investors in the SwissCash scheme are also invited to transfer their monies into Dynamic Revolution's Bank account maintained at the Malayan Banking Berhad in Kuala Lumpur (Account No. 514486-105586).

v) **Swiss Mutual Fund**

24. Swiss Mutual Fund is allegedly the promoter and manager of the SwissCash Internet investment scheme.

vi) **SMF International & SMF (1948)**

25. SMF International and SMF (1948) operate banking accounts into which investors in the SwissCash scheme wire/transfer their monies.

D. **THE ALERTS**

26. The Securities and Futures Commission of Hong Kong put SwissCash on its alertlist of scam websites for attempting to solicit Hong Kong investors by e-mail and other means. This was followed by a warning on the Swiss Embassy website not to

invest in SwissCash, and that SwissCash had no relations with Switzerland.

27. On 5 September 2006, the Securities Commission and Bank Negara Malaysia issued a joint press release, warning members of the Malaysian public against investing with Swiss Mutual Fund and in the SwissCash investment program. The Securities Commission and Bank Negara issued a second joint press release on 19 April 2007 cautioning the public against internet investment schemes in general.

28. The National Fatwa Council at its 77<sup>th</sup> meeting in Kuala Terengganu on 12-4-2007 had declared that such high yield internet investment schemes as "haram". This was followed by a press statement made by the Prime Minister of Malaysia and his Deputy, cautioning the Malaysian public against investing in such high yield internet investment schemes.

29. On 1 June 2007 the Securities Commission announced that it would be blocking the Malaysian public's access to websites offering illegal investment schemes to the public and urged all existing investors to such schemes to withdraw their investments and terminate their accounts immediately. Beginning 11 June 2007, the Malaysian

Communications and Multimedia Commission commenced the blocking of the Malaysian public's access to these websites in stages.

#### E. THE BANK ACCOUNTS

30. The Securities Commissions' ongoing investigations, with the assistance of *inter alia*, the Securities and Futures Commission of Hong Kong, the Securities And Exchange Commission of the United States of America ("SEC") and the Jersey Financial Services Commission have recently also revealed the following disturbing features of these produces.

31. One of the accounts into which investors transferred their monies under the SwissCash scheme was operated at Barclays Bank in Jersey (Account No. 204509 64 0383 88) ("Jersey account"). The Jersey account was opened and operated by Albert under "SMF International Limited". Albert is, and was at all material times, the sole director of SMF International.

32. With effect from 16 November 2006, Barclays froze the Jersey account as a result of Barclays investigation into the account which it found was linked to SwissCash. Albert

thereafter attempted to close the Jersey account and instructed Barclays to transfer the remaining balances in the account to his personal account at the Bank Julius Baer (Singapore) Ltd. Barclays however refused to comply, citing Jersey police investigations into the operations of SMF International. As at the date, the Jersey account remains frozen with the remaining balance therein amounting to US\$1,671,428.19.

33. A second account into which investors transferred their monies under the SwissCash scheme was operated at the HSBC Bank in Hong Kong (Account No. 808 168934 838) ("Hong Kong account"). The Hong Kong account was opened and operated solely by Albert under "SMF (1948) International Limited". Albert is, and was at all material times, the beneficial owner of the one ordinary share in SMF (1948) International Ltd. The Hong Kong account was closed on 20 December 2006 and the remaining balance therein was directed to be transferred into Albert's personal account maintained at HSBC Bank in Hong Kong.

34. Investors in the SwissCash scheme have also been directed by SwissCash and/or Swiss Mutual Fund to transfer their monies into another account at HSBC Bank in Hong Kong Hong (Account No. 6021 5695 2888). This said account was

opened and is operated by Amir ("Amir's account"). The balance in Amir's account as at 11 April 2007 was HK\$15,989,073.93.

**F. DISHONEST CONDUCT**

35. The Plaintiff contends that trust monies belonging in equity to the investors of the SwissCash scheme and ear-marked to be used for such purposes were dishonestly and/or fraudulently channeled by Albert, Kelvin and Amir into Amir's account, and/or from the Hong Kong account into Albert's personal account in HSBC Bank Hong Kong as pleaded in Paragraphs 31 to 34 above (and other accounts wheresoever and howsoever operated which may become known to the Securities Commission during Discovery of Documents in this suit or otherwise).

36. As the controlling and directing mind of Dynamic Revolution, SwissCash, Swiss Mutual Fund, SMF International and SMF (1948), Albert caused SwissCash and Swiss Mutual Fund to dishonestly and/or fraudulently solicit and receive payments (including from Malaysian investors) for the alleged SwissCash scheme. Albert thereafter dishonestly caused SMF International and SMF (1948) to transfer monies so collected from the investors of SwissCash and Swiss Mutual Fund or part

thereof into his and/or Amir's personal account (and other accounts wheresoever or howsoever operated which may become known to Securities Commission during Discovery of Documents in this suit or otherwise). In consequence, all the knowledge of Albert acquired in dishonestly and/or fraudulently directing the affairs of Dynamic Revolution, SwissCash, Swiss Mutual Fund, SMF International and SMF (1948) are attributed to Swiss Mutual Fund, SMF International and SMF (1948), which accordingly received all monies from the investors in circumstances of actual and/or constructive knowledge of the dishonesty and/or fraudulent conduct of Albert.

37. In consequence, Albert, Kelvin, Amir, Dynamic Revolution, Swiss Mutual Fund, SMF International and SMF (1948), are holding the monies received from the investors (and any assets or properties that were purchased from the application of such monies) in constructive trust for the benefit of and on behalf of the investors in SwissCash and Swiss Mutual Fund.

38. The Securities Commission contends that in the interests of justice the corporate veil of Dynamic Revolution, Swiss Mutual Fund, SMF International and SMF (1948) should be

lifted by this Honourable Court so that the true state of affairs of their control by Albert, Kelvin and/or Amir become clear.

39. The 1<sup>st</sup> to 5<sup>th</sup> Defendants have utilised the borderless world of the internet and the SwissCash scheme to defraud the world at large (including Malaysian investors) in what is commonly referred to as a "boiler room" scam and/or "scam websites", utilizing an unregulated company existing only on paper as a front for soliciting and receiving monies from the public with the promise of extraordinarily high returns.

#### G. ILLEGALITY

40. None of the Defendants are licensed or approved by the Securities Commission to carry out any fund management activities or to hold themselves out to carry out such activities in Malaysia within the meaning of the securities law. Accordingly, each of the Defendants has acted in breach of Section 15A of the SI Act.

41. None of the Defendants are licensed nor approved by the Securities Commission to act or to hold themselves out to be an investment adviser in Malaysia. Accordingly, each of the Defendants has acted in breach of Section 14 of the SI Act.

42. In carrying on the business of SwissCash over the Internet in the dishonest manner (as pleaded in Paragraphs 12 to 39 above) each of the Defendants:-

- (a) made or published statements, promises or forecasts that they knew to be misleading, false or deceptive;
- (b) dishonestly concealed material facts; or
- (c) recorded or stored in or by means of any electronic or other device information that they knew to be false or misleading

in Malaysia and elsewhere in order to induce or attempt to induce "*inter alia*" Malaysian investors to deal in their business. Accordingly, each of the Defendants acted in breach of Section 87 (1) of the SI Act.

43. The Securities Commission institutes this suit "*inter alia*" pursuant to the powers conferred on it under Section 90 and/or under Section 100 of the SI Act.

44. The conduct of the Defendants in accepting investments from Malaysian investors over the Internet (and outlined in Paragraphs 12 to 39 above) result in the commission

of a serious offence within the meaning of the Second Schedule of AMLA and is accordingly a money laundering activity within the meaning of AMLA.

45. In consequence, each of the Defendants is engaged in money laundering within the meaning of AMLA.

46. Acting pursuant to the powers conferred on it as an enforcement agency under AMLA, the Securities Commission has issued freezing orders pursuant to Section 44 thereunder freezing all monies held in the accounts operated by the 1<sup>st</sup> to 4<sup>th</sup> Defendants and entities related to them (including DynaRev Sdn Bhd, Dreamkaya Dot Biz Network, DK Holdings Sdn Bhd and DK Property Sdn Bhd) in banks and financial institutions carrying on business in Malaysia.

#### H. RELIEF

Accordingly, the Securities Commission prays for the following relief:-

- i) An Order restraining each of the Defendants from carrying on the Swiss Mutual Fund and/or SwissCash

business or from holding Swiss Mutual Fund and/or SwissCash out as carrying on business;


- ii) An Order restraining each of the Defendants from acting as an unlicensed fund manager and/or an unlicensed investment adviser, whether through Swiss Mutual Fund and/or SwissCash or otherwise, or from holding themselves and/or Swiss Mutual Fund and/or SwissCash out as such manager or adviser;
- iii) An Order restraining Amir Bin Hassan from acting as or holding himself out to be an unlicensed fund manager or an unlicensed investment adviser, whether personally or through the [www.dreamkaya.biz](http://www.dreamkaya.biz) blog or any other internet facility;
- iv) An Order restraining each of the Defendants from soliciting and/or collecting funds for investments in Swiss Mutual Fund and/or SwissCash or any other internet investment scheme or attempting to do so;
- v) An Order restraining each of the Defendants from operating and maintaining the Swiss Mutual Fund and/or the SwissCash websites or from replicating

and/or creating and/or operating any other such websites which solicit investments or attempts to do so for SwissCash or any other internet investment schemes;

- vi) An Order restraining Amir Bin Hassan from further operating the [www.dreamkaya.biz](http://www.dreamkaya.biz) blog or from replicating and/or creating and/or operating any other such blogs, websites and/or portals that provides investment advise and/or solicit investments (or attempts to do so) for Swiss Mutual Fund and/or SwissCash or other internet investment schemes;
- vii) A Declaration that in consequence of the lifting of the corporate veil of each of the 4<sup>th</sup> to 7<sup>th</sup> Defendants, the assets and properties of each of the said Defendants wheresoever situate or howsoever in nature belong in equity to Albert;
- viii) A Declaration that all the assets and properties of Albert and Amir wheresoever situate or howsoever in nature belong in equity to the investors in Swiss Mutual Fund and/or SwissCash;

- ix) An Order that all the assets and properties of each of the Defendants be traced, and thereafter paid over to the Securities Commission for the purpose of compensating the investors in SwissCash and/or Swiss Mutual Fund whether by way of restitution or otherwise. In the alternative, that they be applied at the discretion of the Securities Commission;
- x) Costs; and
- xi) Further or other relief.

Dated the 18th day of June, 2007.

  
.....  
Plaintiff's Solicitors.

This Statement of Claim is filed by Messrs Tommy Thomas, No. 101, Jalan Ara, Bangsar, 59100 Kuala Lumpur, Solicitors for the Plaintiff abovenamed. [Our Ref: AAG/20072819] (Tel: 03-2287 3540) (Fax: 03-2284 8892) [C:\Alan\2819-SC-SwissCash-SC v SwissCash -Writ+SOC faired]