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

CIVIL SUIT NO. : D4 - 22 - 1219 - 07

BETWEEN

SECURITIES COMMISSION MALAYSIA

... PLAINTIFF

AND

THE AYER MOLEK RUBBER COMPANY BHD. ... DEFENDANT

THIS 6<sup>TH</sup> DAY OF SEPTEMBER, 2007 IN CHAMBERS

## ORDER

<u>UPON THE APPLICATION</u> of the Plaintiff abovenamed <u>AND UPON READING</u> the Statement of Claim dated 4 September 2007, the Summons In Chambers dated 4 September 2007, the Affidavit of Chong Foh Keong affirmed on 4 September 2007 and the Affidavit of Jawahar Ali Bin Ameer Ali affirmed on 4 September 2007 and all filed herein <u>AND UPON HEARING</u> Mr. Tommy Thomas (Mr. Alan Adrian Gomez, Ms Foo Lee Mei and Puan Roz

Mawar Rozain with him) of Counsel for the Plaintiff <u>IT IS HEREBY</u> ORDERED as follows:-

- (1) that the Defendant whether by itself, its servants, agents or otherwise howsoever, be restrained from:
  - removing from Malaysia any of its assets which are in Malaysia, whether in its own name or not and whether solely or jointly owned up to the value of RM20 Million;

and

b) in any way disposing of or dealing with or dissipating any of its assets, whether they are in or outside Malaysia, whether in their own name or not and whether solely or jointly owned, or otherwise diminishing their value up to the value of RM20 Million.

including the following assets in particular :-

(i) all monies held in the accounts of the said

Defendant in all Banks and other financial
institutions in Malaysia;

and

- (ii) all monies held in the accounts of the said

  Defendant in all Banks and other financial
  institutions outside Malaysia.
- (2) Without prejudice to the generality of the Orders sought in Paragraph 1 above, that no monies belonging to the Defendant held in any account operated by its solicitors, Messrs Ropizah Ambri & Co, or by any other solicitors or other agents, in any bank in or outside Malaysia, be withdrawn until trial of this suit or until further Order;
- (3) that the Defendant affirm, file and serve on the Plaintiff's Solicitors, an Affidavit within 10 days of the service of this Order on it, giving information pertaining to all its assets, whether in or outside Malaysia, and whether in its own name or not and whether solely or jointly owned, including the nature, value, location and other relevant details of all such assets (including monies held by its solicitors as stated in Paragraph 2 above);
- (4) that the Defendant affirm, file and serve on the Plaintiff's Solicitors, an Affidavit within 10 days of the service of this Order on them, giving information and supporting documents on how and for what purposes the proceeds of the 2006 and 2007 Transactions (as defined in the Statement of Claim filed herein) were applied by the Defendant,

AND IT IS FURTHER ORDERED that all the abovementioned Orders remain in force until the trial of this Civil Suit or until further Order AND IT IS FINALLY ORDERED that this matter be fixed for further hearing before this Court on 26 September 2007.

Dated the 6th day of September, 2007.

MUZLINA BY MOHAMAD JAMIL
Senior Assistant Registrar
High Court of Malaya
Kuala Lumpur.

## INDORSEMENT UNDER ORDER 45 RULE 7 RULES OF THE HIGH COURT, 1980

If you, the within-named The Ayer Molek Rubber Company Bhd, your directors, officers, servants or agents or otherwise neglect to obey this Order by the time therein limited, you will be liable to process of execution for the purpose of compelling you to obey the same and if you, the within-named The Ayer Molek Rubber Company Bhd, your directors, servants or agents or otherwise disobey this Order, you will be liable to process of execution for the purpose of compelling you to obey the same.

If The Ayer Molek Rubber Company Bhd neglect to obey this Order by the time therein limited and if The Ayer Molek Rubber Company Bhd disobey this Order, you, Adlin Bin Shaharudin, Keow Hock Sneah, Low Kok Hwa @ Low Koh Hwa, Dato' Seri Mohd Sedek Bin Mohd Ali, Mahadi Affendi Bin Mohd Anuar, Raja Abdul Rashid Bin Raja Badiozaman and Dato' Hairuddin Bin Mohamed the directors and/or officers of the said The Ayer Molek Rubber Company Bhd, will be liable to process of execution for the purpose of compelling The Ayer Molek Rubber Company Bhd to obey the same.

This Order is filed by Messrs. Tommy Thomas, 101, Jalan Ara, Bangsar, 59100 Kuala Lumpur, Solicitors for the Plaintiffs abovenamed. [Our Ref: AAG/20072839] (Tel: 03-2287 3540) (Fax: 03-2284 8892) [C:\Alan\2839-SC-Ayer Molek-Sealed Order 6-9-07]