

IN THE HIGH COURT OF MALAYA AT SHAH ALAM
IN THE STATE OF SELANGOR DARUL EHSAN
ORIGINATING SUMMONS NO. MT - 24 - - 2007

In the Matter of the Securities Laws (as defined in the Securities Commission Act, 1993) including :-

- (i) Sections 100 & 122B of the Securities Industry Act 1983
- (ii) Division 1 of Part IV of the Securities Commission Act, 1993
- (iii) Listing Requirements of Bursa Malaysia Securities Berhad

And

In the Matter of the Rules of the High Court, 1980

BETWEEN

SECURITIES COMMISSION

... PLAINTIFF

AND

KENNETH VUN @ VUN YUN LIUN
(NO. K/P : 740618-12-5213)

... DEFENDANT

ORIGINATING SUMMONS

To : KENNETH VUN @ VUN YUN LIUN
B902, Shang Villa Condominium
Kelana Jaya
Selangor Darul Ehsan

LET THE ABOVENAMED DEFENDANT, within eight (8) days after service of this Summons on him, inclusive of the day of service, cause an appearance to be entered to this Summons, which is issued on the application of the SECURITIES COMMISSION, the abovenamed Plaintiff.

BY THIS SUMMONS, the Plaintiff seeks the Orders :-

- (1) THE COURT DOETH MAKE the following orders pursuant to Section 100(1)(a)(ii), and/or Section 100(1)(a)(iii), read with Section 100(1)(kka), Section 100(1)(ll) and Section 100(1)(mm) of the Securities Industry Act 1983 :-
 - (A) the Defendant is to personally make restitution of the Subject Sum (as further defined in the Plaintiff's 1st Affidavit) to FTEC Resources Bhd;
 - (B) the Defendant be and is hereby restrained from directly or indirectly managing funds of FTEC Resources Bhd and/or any of the companies in the FTEC Group of Companies in the absence of proper controls being put in place by the said companies including but not limited to external supervision by the Commission.
 - (C) the Defendant do cause FTEC Resources Bhd to properly disclose in its audited report for the next financial year, the manner in which the Subject Sum (as further defined in the Plaintiff's 1st Affidavit) had been utilised.
- (2) Further or other relief as this Honourable Court deems fit and appropriate;
- (3) Costs of and occasioned by this Summons be provided for.

If the abovenamed Defendant does not enter an appearance, such judgment may be given or order made against or in relation to him as the Court may think just and expedient.

Dated this day of September, 2007

Senior Assistant Registrar
High Court of Malaya
Shah Alam

The grounds of this application are set out in the Plaintiff's Affidavit No. 1 of ARIS FADZILAH ZULKIFLI, affirmed on 26.9.2007 and filed herein and which essentially include the following :-

- (A) On or about 21.5.2004, the Defendant authorised the release of the announcement to the Bursa of the Subject Report in purported compliance of the Conditional Approval.
- (B) In so doing, the Defendant had knowingly authorised the furnishing of a misleading statement in relation to the Utilisation of Proceeds without disclosing or intentionally omitting to disclose the Impugned Utilisation of Proceeds of the Public Issue.

Memorandum to be subscribed on the Summons

This Summons is taken out by Messrs, Logan Sabapathy & Co. of Suite 2002, 20th Floor, Wisma Hanzah Kwong Hing, No. 1, Leboh Ampang, 50100 Kuala Lumpur, solicitors for the said Plaintiff whose address is No. 3, Persiaran Bukit Kiara, Bukit Kiara, 50490 Kuala Lumpur.

Note :- This Summons may not be served more than six (6) calendar months after the above date unless renewed by order of the Court.

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[Ref : 2.5803.2/07.25]