



HCA 2761/03

22 October, 2003

2867 2045

Messrs. Cheung, Chan & Chung  
Unit 5505, 55<sup>th</sup> Floor  
No. 183 Queen's Rd East  
Wanchai,  
Hong Kong

**BY FAX (2845 3467)**  
**AND BY HAND**

Dear Sirs,

**Re: HCA 2761/2003**

We refer to the above-captioned action.

On the advice of counsel, we have enclosed a request for further and better particulars of the Statement of Claim herein dated 25<sup>th</sup> July 2003.

We should be grateful if you would provide a reply to the request within the next 7 days.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'G. Payne', is written over a faint, larger signature.

(Gregory Payne)  
Senior Government Counsel

Cc: Messrs Johnson Stokes & Master  
Att: Mr. David Boyle (by fax: 2845 9121)

IN THE HIGH COURT OF THE  
HONG KONG SPECIAL ADMINISTRATIVE REGION  
COURT OF FIRST INSTANCE  
ACTION NO. 2761 OF 2003

BETWEEN

FIRST STAR DEVELOPMENT LIMITED

Plaintiff

and

THE HONG KONG HOUSING AUTHORITY

1<sup>st</sup> Defendant

THE SECRETARY FOR JUSTICE  
(ON BEHALF OF THE GOVERNMENT  
OF THE HONG KONG SPECIAL  
ADMINISTRATIVE REGION)

2<sup>nd</sup> Defendant

---

**REQUEST FOR FURTHER AND BETTER PARTICULARS OF THE  
STATEMENT OF CLAIM**

---

Under paragraph 10(e)

Of the allegation:

“the 2<sup>nd</sup> Defendant did not refrain from allowing, causing, procuring or influencing the 2<sup>nd</sup> Defendant’s governmental departments or agencies, or the 1<sup>st</sup> Defendant, to thwart, obstruct, frustrate or delay the process and progress of either the development of the Development or the sale of the units, including in particular, the allowing, causing, procuring or influencing the Director of Lands and/or the 1<sup>st</sup> Defendant to delay or obstruct the grant of Pre-Sale Consent to the Plaintiff in contravention of the PSPS Practice and beyond the ordinary course of events”;

Request

1. Give full particulars of all acts, which are relied upon by the Plaintiff, that thwarted, obstructed, frustrated, and/or delayed the development of the Development or the sale of the units.

Under paragraph 10(f)

Of the allegation

"the 2<sup>nd</sup> Defendant did not refrain from, or from allowing, such conduct as may be designed to, or would effectively result in, the thwarting, obstructing, frustrating or delaying of the process and progress of either the development of the Development or the sale of the units, whether by acting through its governmental departments or agencies or the 1<sup>st</sup> Defendant, or otherwise liaising or colluding or acting in concert with them to the said effect"

Request

2. Give full particulars of all conduct, which is relied upon by the Plaintiff, that was designed to or resulted in the development of the Development or the sale of the units being thwarted, obstructed, frustrated, and/or delayed.

Dated this 21<sup>st</sup> day of October 2003



Gregory Payne

Senior Government Counsel

for the 2<sup>nd</sup> Defendant

IN THE HIGH COURT OF THE  
HONG KONG SPECIAL ADMINISTRATIVE REGION  
COURT OF FIRST INSTANCE  
ACTION NO. 2761 OF 2003

BETWEEN

FIRST STAR DEVELOPMENT LIMITED Plaintiff

and

THE HONG KONG HOUSING AUTHORITY 1<sup>st</sup> Defendant

THE SECRETARY FOR JUSTICE 2<sup>nd</sup> Defendant  
(ON BEHALF OF THE GOVERNMENT  
OF THE HONG KONG SPECIAL  
ADMINISTRATIVE REGION)

---

**REQUEST FOR FURTHER AND BETTER PARTICULARS  
OF THE STATEMENT OF CLAIM**

---

Filed this                      day of                      2003  
at                      a.m./p.m.

DEPARTMENT OF JUSTICE  
2ND FLOOR, HIGH BLOCK,  
QUEENSWAY GOVERNMENT OFFICES,  
66 QUEENSWAY,  
HONG KONG

TEL. NO. : 2867 2045  
FAX NO. : 2869 0062