

HCA 2761/03

2867 2045

23 October, 2003

Messrs. Cheung, Chan & Chung Unit 5505, 55th 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 our Request For Further and Better Particulars of the Statement of Claim ("the Request"), which was sent to you under cover of our letter of yesterday's date.

It has come to our attention that there is a minor typographical error in the Request.

In particular:

- the reference to "Under paragraph 10(e)" should read "Under paragraph 18(e)"
- the reference to "Under paragraph 10(f)" should read "Under paragraph 18(f)"

We have enclosed a copy of the Request as corrected. Please disregard the document enclosed under cover of our letter of yesterday's date.

We look forward to receiving your client's reply within the next 7 days.

Yours faithfully,

(Gregory Payne)
Senior Government Counsel

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

1st Defendant

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

REQUEST FOR FURTHER AND BETTER PARTICULARS OF THE STATEMENT OF CLAIM

Under paragraph 18(e)

Of the allegation:

"the 2nd Defendant did not refrain from allowing, causing, procuring or influencing the 2nd Defendant's governmental departments or agencies, or the 1st 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 1st 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

 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 18(f)

Of the allegation

"the 2nd 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 1st Defendant, or otherwise liaising or colluding or acting in concert with them to the said effect"

Request

 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 23 day of October 2003

Gregory Payne

Senior Government Counsel

for the 2nd 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 1st Defendant

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

2nd Defendant

REQUEST FOR FURTHER AND BETTER PARTICUALRS 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

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