

Claim nature:  
A. \* ~~Monetary Claim/Non-Monetary Claim~~/Mixed Claim  
B. Defamation & Tort

No. 1

**Writ of Summons**

(O. 6 r. 1)

HCA 1918/2019

Not for service out of the jurisdiction

**IN THE HIGH COURT OF THE  
HONG KONG SPECIAL ADMINISTRATIVE REGION  
COURT OF FIRST INSTANCE  
ACTION NO. 1918 OF 2019**

BETWEEN

CHINA AOYUAN GROUP LIMITED  
(中國奧園集團股份有限公司)

1<sup>st</sup> Plaintiff

GUO ZINING (郭梓寧)

2<sup>nd</sup> Plaintiff

PRIME CHAMPION ENTERPRISE  
COMPANY LIMITED  
(丞冠企業有限公司)

3<sup>rd</sup> Plaintiff

AND

CHAN TAK SUM (陳德心)

1<sup>st</sup> Defendant

CHEN XIANGYU (陳香玉)

2<sup>nd</sup> Defendant

ZHU CANQIU (朱燦秋)

3<sup>rd</sup> Defendant

黃麗雅

4<sup>th</sup> Defendant

PERSONS WHO WILFULLY CAUSED DISRUPTION TO OR INTERFERED WITH THE USE OF THE SHOWROOM AT ROOM 03, 23/F, CROCODILE CENTER, 79 HOI YUEN ROAD, KWUN TONG, KOWLOON, HONG KONG ON 7, 8, 14, 26 SEPTEMBER 2019 OR 10, 11 OCTOBER 2019

5<sup>th</sup> Defendant

PERSONS WHO DISPLAYED OR CAUSED TO BE DISPLAYED POSTERS AND/OR BANNERS CONTAINING STATEMENTS OF DEFAMATORY NATURE CONCERNING THE 1<sup>ST</sup> AND/OR THE 2<sup>ND</sup> PLAINTIFFS IN LOCATIONS SET OUT IN PARAGRAPH 5 OF THE INDORSEMENT

6<sup>th</sup> Defendant

To the 1<sup>st</sup> Defendant CHAN TAK SUM (陳德心) of 廣東省惠州市惠東縣亞婆角旅遊度假區稔山鎮碧桂園十里銀灘海頭埔苑三區別墅棕櫚灘 27 棟 02 號

To the 2<sup>nd</sup> Defendant CHEN XIANGYU (陳香玉) of 廣東省深圳市南山區沙河街上白石三坊 20 號

To the 3<sup>rd</sup> Defendant ZHU CANQIU (朱燦秋) of 廣東省深圳市南山區沙河街上白石三坊 20 號

To the 4<sup>th</sup> Defendant 黃麗雅 of 香港荃灣中心 17 座 5 樓 F 室

To the 5<sup>th</sup> Defendant PERSONS WHO WILFULLY CAUSED DISRUPTION TO OR INTERFERED WITH THE USE OF THE SHOWROOM AT ROOM 03, 23/F, CROCODILE CENTER, 79 HOI YUEN ROAD, KWUN TONG, KOWLOON, HONG KONG ON 7, 8, 14, 26 SEPTEMBER 2019 OR 10, 11 OCTOBER 2019 of unknown address

To the 6<sup>th</sup> Defendant PERSONS WHO DISPLAYED OR CAUSED TO BE DISPLAYED POSTERS AND/OR BANNERS CONTAINING STATEMENTS OF DEFAMATORY NATURE CONCERNING THE 1<sup>ST</sup> AND/OR THE 2<sup>ND</sup> PLAINTIFFS IN LOCATIONS SET OUT IN PARAGRAPH 5 OF THE INDORSEMENT of unknown address

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the back.

Within (14 days) after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Registry of the High Court the accompanying ACKNOWLEDGMENT OF SERVICE stating therein whether you intend to contest these proceedings or to make an admission.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings or to make an admission, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

\*[If you intend to make an admission, you may complete an appropriate form enclosed in accordance with the accompanying Directions for Acknowledgment of Service.]

Issued from the Registry of the High Court this 18<sup>th</sup> day of October 2019

Registrar

*Note:* – This Writ may not be served later than 12 calendar months beginning with that date unless renewed by order of the Court.

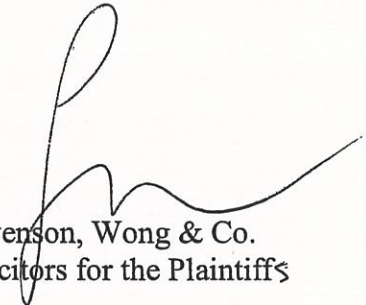
**IMPORTANT**

Directions for Acknowledgment of Service are given with the accompanying form.

---

(Where the Plaintiff's claim is for a debt or liquidated demand only: If, within the time for returning the Acknowledgment of Service, the Defendant pays the amount claimed and \$ ..... for costs, further proceedings will be stayed. The money must be paid to the Plaintiff or his Solicitor.)

THIS WRIT was issued by Stevenson Wong & Co. of 39/F, Gloucester Tower, The Landmark, 15 Queen's Road Central, Hong Kong, Solicitors for (i) the said 1<sup>st</sup> Plaintiff whose principal place of business is situate at Unit 1901-02, 19th Floor, One Peking, No 1 Peking Road, Tsim Sha Tsui, Kowloon, Hong Kong; (ii) the said 2<sup>nd</sup> Plaintiff of Unit 1901-02, 19th Floor, One Peking, No 1 Peking Road, Tsim Sha Tsui, Kowloon, Hong Kong; and (ii) the said 3<sup>rd</sup> Plaintiff whose registered office is situate at 4/F., Siu Ying Commercial Building, 151-155 Queen's Road Central, Hong Kong.



Stevenson, Wong & Co.  
Solicitors for the Plaintiffs



## INDORSEMENT OF CLAIM

### The 1<sup>st</sup> Plaintiff claims:-

1. Against the 1<sup>st</sup> Defendant for:-
  - 1.1. Damages (including aggravated damages) for slander and/or malicious falsehood in respect of the following words published by the 1<sup>st</sup> Defendant to visitors at the showroom at Room 03, 23/F, Crocodile Center, 79 Hoi Yuen Road, Kwun Tong, Kowloon, Hong Kong (“**Showroom**”) concerning the 1<sup>st</sup> Plaintiff on 13 October 2019, namely “走呀！信我呀！奧園的樓盤呢人，我就係嚟抗議，我有資料可以証明，大灣區發展幾好，但奧園的野呢人，你可以唔買奧園樓盤，買其他無問題” on 13 October 2019;
  - 1.2. Damages (including aggravated damages) for libel and/or malicious falsehood in respect of the following words published by the 1<sup>st</sup> Defendant concerning the 1<sup>st</sup> Plaintiff by displaying or causing to be displayed banner at the fences outside 1 Peking Road, Tsim Sha Tsui, Kowloon, Hong Kong on 16 October 2019, namely, “中國奧園 (股票號 3883) 幫隆基地產 在惠州詐騙 4.2 億，還我們血汗錢”;
  - 1.3. Damages (including aggravated damages) for libel and/or malicious falsehood in respect of the following words published by the 1<sup>st</sup> Defendant by displaying or causing to be displayed posters on the walls in the public pedestrian subway adjacent to Peking Road, Tsim Sha Tsui, Kowloon, Hong Kong on 16 October 2019, namely, “奧園股票 3883 與惠州隆基地產一手遮天詐騙我們 4.2 億，還我血汗錢！”;
  - 1.4. An injunction to restrain the 1<sup>st</sup> Defendant, whether by himself, his agents or servants or otherwise howsoever from publishing, or causing and/or combining to cause to be published, the words as set out in paragraphs 1.1 and 1.2 hereinabove or any words defamatory of and concerning the 1<sup>st</sup> Plaintiff to the same or similar effect;



2. Against the 2<sup>nd</sup> Defendant for:-

- 2.1. Damages (including aggravated damages) for libel and/or malicious falsehood in respect of the following words published by the 2<sup>nd</sup> Defendant to visitors at the Showroom concerning the 1<sup>st</sup> Plaintiff by displaying posters at the Showroom on 11 October 2019, namely, “奧園股票 3883 與惠州隆基地產一手遮天詐騙我們 4.2 億，還我血汗錢！”;
- 2.2. An injunction to restrain the 2<sup>nd</sup> Defendant, whether by herself, her agents or servants or otherwise howsoever from publishing, or causing and/or combining to cause to be published, the words as set out in paragraph 2.1 hereinabove or any words defamatory of and concerning the 1<sup>st</sup> Plaintiff to the same or similar effect;

3. Against the 4<sup>th</sup> Defendant for:-

- 3.1. Damages (including aggravated damages) for libel and/or malicious falsehood in respect of the following words published by the 4<sup>th</sup> Defendant concerning the 1<sup>st</sup> Plaintiff by displaying posters on the walls in the public pedestrian subway adjacent to Peking Road, Tsim Sha Tsui, Kowloon, Hong Kong on 13 October 2019, namely, “奧園股票 3883 與惠州隆基地產一手遮天詐騙我們 4.2 億，還我血汗錢！”;
- 3.2. An injunction to restrain the 4<sup>th</sup> Defendant, whether by herself, her agents or servants or otherwise howsoever from publishing, or causing and/or combining to cause to be published, the words as set out in paragraph 3.1 hereinabove or any words defamatory of and concerning the 1<sup>st</sup> Plaintiff to the same or similar effect;

4. Against the 6<sup>th</sup> Defendant for:-

- 4.1. Damages (including aggravated damages) for libel and/or malicious falsehood in respect of the following words published by the 6<sup>th</sup> Defendant concerning the 1<sup>st</sup> Plaintiff by displaying or causing to be displayed posters and/or banners on the following

occasions:

- (1) “惠州政府一手遮天，奧園隆基地產逍遙法外 中港鋪主投訴無門，請求中聯辦為民作主” at the fences outside the Hong Kong Cultural Centre, 10 Salisbury Road, Tsim Sha Tsui, Kowloon, Hong Kong on 11 September 2019;
- (2) “奧園上市公司(3883)在惠州幫隆基吳鳳武詐騙 4.2 億 在惠州建綠州花園，還我們血汗錢！” at the fences outside Crocodile Center, 79 Hoi Yuen Road, Kwun Tong, Kowloon, Hong Kong on 26 September 2019;
- (3) “惠州政府一手遮天，奧園隆基地產逍遙法外 中港鋪主投訴無門，請求中聯辦為民作主” at the fences outside Crocodile Center, 79 Hoi Yuen Road, Kwun Tong, Kowloon, Hong Kong on 4 October 2019;

4.2. An injunction to restrain the 6<sup>th</sup> Defendant, whether by themselves, their agents or servants or otherwise howsoever from publishing, or causing and/or combining to cause to be published, the words as set out in paragraph 4.1 hereinabove or any words defamatory of and concerning the 1<sup>st</sup> Plaintiff to the same or similar effect;

**And the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs claim:-**

5. Against the 6<sup>th</sup> Defendant for:-

5.1. For damages (including aggravated damages) for libel and/or malicious falsehood in respect the following words published by the 6<sup>th</sup> Defendant concerning the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs by displaying or causing to be displayed posters and/or banners on the following occasions:

- (1) “奧園郭梓寧幫隆基吳鳳武詐騙 5 億 在惠州詐騙 5 億 還我血汗錢” at the fences outside Crocodile Center, 79 Hoi Yuen Road, Kwun Tong, Kowloon, Hong Kong on



11 September 2019;

- (2) “奧園郭梓寧 (股票號 3883)幫隆基吳鳳武在惠州詐騙¥4.2億，還我們血汗錢” at the fences outside the Hong Kong Cultural Centre, 10 Salisbury Road, Tsim Sha Tsui, Kowloon, Hong Kong on 13 September 2019;
- (3) “奧園郭梓寧 (股票號 3883)幫隆基吳鳳武在惠州詐騙¥4.2億，還我們血汗錢” at the fences outside exit of the Hong Kong MTR Station, Harbour View Street, Hong Kong on 23 September 2019;
- (4) “奧園郭梓寧 (股票號 3883)幫隆基吳鳳武在惠州詐騙¥4.2億，還我們血汗錢” on the fences at Sha Tin Station Public Transport Interchange on 25 September 2019;
- (5) “奧園郭梓寧 (股票號 3883)幫隆基吳鳳武在惠州詐騙¥4.2億，還我們血汗錢” on the fences at O'Brien Road Footbridge, Wan Chai on 25 September 2019;
- (6) “奧園郭梓寧 (股票號 3883)幫隆基吳鳳武在惠州詐騙¥4.2億，還我們血汗錢” on the fences outside 1 Peking Road on 26 September 2019;
- (7) “奧園郭梓寧 (股票號 3883)幫隆基吳鳳武在惠州詐騙¥4.2億，還我們血汗錢” on the walls in the pedestrian subway adjacent to Peking Road, Tsim Sha Tsui, Kowloon, Hong Kong on 26 September 2019;
- (8) “奧園郭梓寧 (股票號 3883)幫隆基吳鳳武在惠州詐騙¥4.2億，還我們血汗錢” outside Queen Elizabeth Stadium, 18 Oi Kwan Road, Wan Chai, Hong Kong on 26 September 2019;
- (9) “奧園郭梓寧 (股票號 3883)幫隆基吳鳳武在惠州詐騙¥4.2億，還我們血汗錢” on the fences at the juncture of Lap Tak Lane and Morrison Hill Road in Wan Chai on 26 September 2019;



- (10) “奧園郭梓寧 (股票號 3883) 幫隆基吳鳳武在惠州詐騙 ¥4.2 億，還我們血汗錢” on the fences at Salisbury Road, Tsim Sha Tsui, Kowloon, Hong Kong on 27 September 2019;
- (11) “奧園郭梓寧 (股票號 3883) 幫隆基吳鳳武在惠州詐騙 ¥4.2 億，還我們血汗錢” on the fences at Pai Tau Hang, Sha Tin, New Territories, Hong Kong on 29 September 2019;
- (12) “奧園郭梓寧 (股票號 3883) 幫隆基吳鳳武在惠州詐騙 ¥4.2 億，還我們血汗錢” on the fences outside Crocodile Center, 79 Hoi Yuen Road, Kwun Tong, Kowloon, Hong Kong on 29 September 2019;
- (13) “奧園郭梓寧 (股票號 3883) 幫隆基吳鳳武在惠州詐騙 ¥4.2 億，還我們血汗錢” on the fences outside exit A of Tsuen Wan MTR Station, New Territories, Hong Kong on 1 October 2019;
- (14) “奧園郭梓寧 (股票號 3883) 幫隆基吳鳳武在惠州詐騙 ¥4.2 億，還我們血汗錢” on the fences on the footbridge outside exit B3 of Wong Tai Sin MTR Station, Kowloon, Hong Kong on 2 October 2019;
- (15) “奧園郭梓寧 (股票號 3883) 幫隆基吳鳳武在惠州詐騙 ¥4.2 億，還我們血汗錢” on the fences outside Allied Plaza, 760 Nathan Road, Prince Edward, Kowloon, Hong Kong on 3 October 2019;
- (16) “奧園郭梓寧 (股票號 3883) 幫隆基吳鳳武在惠州詐騙 ¥4.2 億，還我們血汗錢” on the fences at the juncture of Argyle Street and Sai Yeung Choi Street South, Kowloon, Hong Kong on 3 October 2019;
- (17) “中國奧園 (股票號 3883) 幫隆基地產 在惠州詐騙 ¥4.2 億，還我們血汗錢” at the fences outside 1 Peking

Road, Tsim Sha Tsui, Kowloon, Hong Kong on 16 October 2019;

(18) “奧園股票 3883 與惠州隆基地產一手遮天詐騙我們 4.2 億，還我血汗錢！” on the walls in the public pedestrian subway adjacent to Peking Road, Tsim Sha Tsui, Kowloon, Hong Kong on 16 October 2019;

(19) “奧園股票 3883 與惠州隆基地產一手遮天詐騙我們 4.2 億，還我血汗錢！” outside of the Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong on 16 October 2019; and

(20) “中國奧園 (股票號 3883) 幫隆基地產在惠州詐騙 4.2 億，還我們血汗錢 China Aoyuan (3883.HK) and Longji scammed RMB 420 million in Huizhou China, Give it back to us!” on the walls in the public pedestrian subway adjacent to Peking Road, Tsim Sha Tsui, Kowloon, Hong Kong on 17 October 2019.

5.2. An injunction to restrain the 6<sup>th</sup> Defendant, whether by themselves, their agents or servants or otherwise howsoever from publishing, or causing and/or combining to cause to be published, the words as set out in paragraph 5.1 hereinabove or any words defamatory of and concerning the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs to the same or similar effect;

**And the 2<sup>nd</sup> Plaintiff claims:**

6. Against the 6<sup>th</sup> Defendant for:

6.1. Damages for harassment for the 6<sup>th</sup> Defendant's conduct of displaying or causing to be displayed posters and/or banners containing words and on the occasions as set out in paragraph 5.1 above;

6.2. An injunction to restrain the 6<sup>th</sup> Defendant, whether by themselves, their agents or servants or otherwise howsoever



from harassing the 2<sup>nd</sup> Plaintiff;

**And the 3<sup>rd</sup> Plaintiff claims:-**

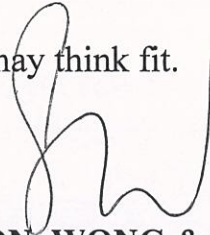
7. Against the 1<sup>st</sup> Defendant for:-
  - 7.1. Damages for trespassing the Showroom and wilfully obstructing and/or interfering with the lawful use of the Showroom on 11 and 13 October 2019;
  - 7.2. An injunction restraining the 1<sup>st</sup> Defendant, whether by himself, his agents or servants or otherwise howsoever from entering the Showroom without the 3<sup>rd</sup> Plaintiff's consent or otherwise wilfully obstructing and/or interfering with the lawful use of the Showroom;
8. Against the 2<sup>nd</sup> Defendant for:-
  - 8.1. Damages for trespassing the Showroom and wilfully obstructing and/or interfering with the lawful use of the Showroom on 11 October 2019;
  - 8.2. An injunction restraining the 2<sup>nd</sup> Defendant, whether by herself, her agents or servants or otherwise howsoever from entering the Showroom without the 3<sup>rd</sup> Plaintiff's consent or otherwise wilfully obstructing and/or interfering with the lawful use of the Showroom;
9. Against the 3<sup>rd</sup> Defendant for an injunction restraining the 3<sup>rd</sup> Defendant, whether by himself, his agents or servants or otherwise howsoever from entering the Showroom without the 3<sup>rd</sup> Plaintiff's consent or otherwise wilfully obstructing and/or interfering with the lawful use of the Showroom;
10. Against the 5<sup>th</sup> Defendant for an injunction restraining the 5<sup>th</sup> Defendant, whether by themselves, their agents or servants or otherwise howsoever from entering the Showroom without the 3<sup>rd</sup> Plaintiff's consent or otherwise wilfully obstructing and/or interfering with the lawful use of the Showroom;



**And the Plaintiffs claim against each of the Defendants for:-**

11. Costs;
12. Interest pursuant to sections 48 and 49 of the High Court Ordinance, Cap 4 and/or pursuant to the equitable jurisdiction of the Court; and;
13. Such further and/or other relief as this Court may think fit.

Dated this 18<sup>th</sup> day of October 2019.



**STEVENSON, WONG & CO.**  
**SOLICITORS FOR THE PLAINTIFFS**

## 請注意

因這是法律文件，忽視它可帶來嚴重的後果。如有疑問，請儘早向發出文件的法院登記處 [ 香港金鐘道三十八號，高等法院大廈低層壹字樓 ] 查詢。你亦應考慮聽取律師的意見或是申請法律援助。

## TAKE NOTICE

This is a legal document. The consequences of ignoring it may be serious. If in doubt, you should enquire as soon as possible at the Registry of the Court issuing the document, namely (LG1, High Court Building, No. 38 Queensway, Hong Kong). You should also consider taking the advice of a Solicitor or applying for Legal Aid.

No. 14  
**Acknowledgment of Service of Writ of Summons**  
(O. 12 r. 3)

*Directions for Acknowledgment of Service*

1. The accompanying form of ACKNOWLEDGMENT OF SERVICE should be detached and completed by a Solicitor acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Registry of the High Court at the following address: —

**“LG1, High Court Building, 38 Queensway, Hong Kong.”**

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings **MUST ALSO** file a DEFENCE which must be written in either the Chinese or the English language with the registry and serve a copy thereof on the Solicitor for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words “Statement of Claim” appear at the top of the back), the Defence must be filed and served within 28 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If a Statement of Claim is not indorsed on the Writ, the Defence must be filed and served within 28 days after a Statement of Claim has been served on the Defendant. If the Defendant fails to file and serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

The Defendant’s defence must be verified by a statement of truth in accordance with Order 41A of the Rules of the High Court (Cap. 4 sub. leg. A).

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, you may admit the Plaintiff’s claim in whole or in part by completing Form No. 16 or 16C (as the case may require) accompanying the Writ of Summons.

A completed Form No. 16 or 16C must be filed with the Registry of the High Court and served on the Plaintiff [or the Plaintiff’s Solicitors] within the period for service of the Defence.

4. A Defendant who wishes to dispute the jurisdiction of the Court of First Instance in the proceedings or to argue that the Court of First Instance should not exercise its jurisdiction in the proceedings, and wishes to apply to the Court of First Instance for an order staying the proceedings, must give notice of intention to defend the proceedings and make the application within the time limited for service of a defence.

*See attached Notes for Guidance*



## Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Registry of the High Court.

[2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him and a writ served by post or by insertion through the Defendant's letter box is treated as having been served on the seventh day after the date of posting or insertion.]

(Note: Not applicable if the defendant is a company served at its registered office.)

3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Writ of Summons)".

4. Where the Defendant is a FIRM and a Solicitor is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "partner in the firm of (.....)" after his name.

5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.

6. Where the Defendant is a LIMITED COMPANY the form must be completed by a Solicitor or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without a Solicitor acting on its behalf.

7. Where the Defendant is a MINOR or a MENTAL Patient, the form must be completed by a Solicitor acting for a guardian ad litem.

8. A Defendant acting in person may obtain help in completing the form at the Registry of the High Court.

9. These notes deal only with the more usual cases. In case of difficulty a Defendant in person should refer to paragraph 8 above.

IN THE HIGH COURT OF THE  
HONG KONG SPECIAL ADMINISTRATIVE REGION  
COURT OF FIRST INSTANCE  
ACTION NO. 1918 OF 2019

BETWEEN

CHINA AOYUAN GROUP LIMITED  
(中國奧園集團股份有限公司)

1<sup>st</sup> Plaintiff

GUO ZINING (郭梓寧)

2<sup>nd</sup> Plaintiff

PRIME CHAMPION ENTERPRISE  
COMPANY LIMITED  
(丞冠企業有限公司)

3<sup>rd</sup> Plaintiff

AND

CHAN TAK SUM (陳德心)

1<sup>st</sup> Defendant

CHEN XIANGYU (陳香玉)

2<sup>nd</sup> Defendant

ZHU CANQIU (朱燦秋)

3<sup>rd</sup> Defendant

黃麗雅

4<sup>th</sup> Defendant

PERSONS WHO WILFULLY CAUSED DISRUPTION TO OR  
INTERFERED WITH THE USE OF THE SHOWROOM AT  
ROOM 03, 23/F, CROCODILE CENTER, 79 HOI YUEN ROAD,  
KWUN TONG, KOWLOON, HONG KONG ON 7, 8, 14, 26  
SEPTEMBER 2019 OR 10, 11 OCTOBER 2019

5<sup>th</sup> Defendant

PERSONS WHO DISPLAYED OR CAUSED TO BE  
DISPLAYED POSTERS AND/OR BANNERS CONTAINING  
STATEMENTS OF DEFAMATORY NATURE CONCERNING  
THE 1<sup>ST</sup> AND/OR THE 2<sup>ND</sup> PLAINTIFFS IN LOCATIONS SET  
OUT IN PARAGRAPH 5 OF THE INDORSEMENT

6<sup>th</sup> Defendant

ACKNOWLEDGMENT OF SERVICE  
OF WRIT OF SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

*Important.* Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.







IN THE HIGH COURT OF THE  
HONG KONG SPECIAL ADMINISTRATIVE REGION  
COURT OF FIRST INSTANCE  
ACTION NO. 1918 OF 2019

BETWEEN

CHINA AOYUAN GROUP LIMITED  
(中國奧園集團股份有限公司)

1<sup>st</sup> Plaintiff

GUO ZINING (郭梓寧)

2<sup>nd</sup> Plaintiff

PRIME CHAMPION ENTERPRISE  
COMPANY LIMITED  
(丞冠企業有限公司)

3<sup>rd</sup> Plaintiff

AND

CHAN TAK SUM (陳德心)

1<sup>st</sup> Defendant

CHEN XIANGYU (陳香玉)

2<sup>nd</sup> Defendant

ZHU CANQIU (朱燦秋)

3<sup>rd</sup> Defendant

黃麗雅

4<sup>th</sup> Defendant

PERSONS WHO WILFULLY CAUSED DISRUPTION TO OR  
INTERFERED WITH THE USE OF THE SHOWROOM AT  
ROOM 03, 23/F, CROCODILE CENTER, 79 HOI YUEN ROAD,  
KWUN TONG, KOWLOON, HONG KONG ON 7, 8, 14, 26  
SEPTEMBER 2019 OR 10, 11 OCTOBER 2019

5<sup>th</sup> Defendant

PERSONS WHO DISPLAYED OR CAUSED TO BE  
DISPLAYED POSTERS AND/OR BANNERS CONTAINING  
STATEMENTS OF DEFAMATORY NATURE CONCERNING  
THE 1<sup>ST</sup> AND/OR THE 2<sup>ND</sup> PLAINTIFFS IN LOCATIONS SET  
OUT IN PARAGRAPH 5 OF THE INDORSEMENT

6<sup>th</sup> Defendant

ACKNOWLEDGMENT OF SERVICE  
OF WRIT OF SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

*Important.* Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.





IN THE HIGH COURT OF THE  
HONG KONG SPECIAL ADMINISTRATIVE REGION  
COURT OF FIRST INSTANCE  
ACTION NO. OF 2019

1918

BETWEEN

CHINA AOYUAN GROUP LIMITED  
(中國奧園集團股份有限公司)

1<sup>st</sup> Plaintiff

GUO ZINING (郭梓寧)

2<sup>nd</sup> Plaintiff

PRIME CHAMPION ENTERPRISE  
COMPANY LIMITED  
(丞冠企業有限公司)

3<sup>rd</sup> Plaintiff

AND

CHAN TAK SUM (陳德心)

1<sup>st</sup> Defendant

CHEN XIANGYU (陳香玉)

2<sup>nd</sup> Defendant

ZHU CANQIU (朱燦秋)

3<sup>rd</sup> Defendant

黃麗雅

4<sup>th</sup> Defendant

PERSONS WHO WILFULLY CAUSED DISRUPTION TO OR  
INTERFERED WITH THE USE OF THE SHOWROOM AT  
ROOM 03, 23/F, CROCODILE CENTER, 79 HOI YUEN ROAD,  
KWUN TONG, KOWLOON, HONG KONG ON 7, 8, 14, 26  
SEPTEMBER 2019 OR 10, 11 OCTOBER 2019

5<sup>th</sup> Defendant

PERSONS WHO DISPLAYED OR CAUSED TO BE  
DISPLAYED POSTERS AND/OR BANNERS CONTAINING  
STATEMENTS OF DEFAMATORY NATURE CONCERNING  
THE 1<sup>ST</sup> AND/OR THE 2<sup>ND</sup> PLAINTIFFS IN LOCATIONS SET  
OUT IN PARAGRAPH 5 OF THE INDORSEMENT

6<sup>th</sup> Defendant

ACKNOWLEDGMENT OF SERVICE  
OF WRIT OF SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

*Important.* Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.





表格 1  
傳訊令狀  
(第 6 號命令第 1 條規則)

HCA 1918 / 2019

香港特別行政區  
高等法院  
原訟法庭  
高院民事訴訟 2019 年第 1918 號

原告人

及

被告人

致被告人(姓名或名稱) \_\_\_\_\_  
(地址) \_\_\_\_\_

本傳訊令狀已由上述原告人就背頁所列出的申索而針對你發出。

在本令狀送達你後(14 天)內(送達之日計算在內)，你必須了結該申索或將隨附的送達認收書交回高等法院登記處，並在認收書中述明你是否擬就本法律程序提出爭議或作出承認。

如你沒有在上述時限內了結該申索或交回送達認收書，或如你交回送達認收書但沒有在認收書中述明擬就本法律程序提出爭議或作出承認，則原告人可繼續進行訴訟，而判你敗訴的判決可隨即在無進一步通知發出的情況下予以登錄。

\*[ 你如擬作出承認，可按照隨附的關於送達認收書的指示，填寫適當的附上的表格。]

本令狀於今天，即 2019 年 月 日由高等法院登記處發出。

司法常務官

備註：一本令狀除非經由法庭命令予以續期，否則不得在發出日期起計 12 個公曆月之後送達。

重要事項

關於送達認收書的指示載於隨附的表格

\*[申索陳述書]

原告人就下述各項提出申索 \_\_\_\_\_

\* 方括號內字句如不適用請予刪去。

\* (如註有申索陳述書，請簽署。)

申索陳述書必須按照《高等法院規則》(第 4 章，附屬法例 A) 第 41A 號命令，以屬實申述核實。

—  
(凡原告人只就一筆債項或經算定的索求款項提出申索：如在交回送達認收書的時限內，被告人支付所申索的款額以及 \$ \_\_\_\_\_ 作為訟費，則進一步的法律程序會被擱置。該筆款項必須付給原告人或其律師。)

本令狀是由代表上述原告人的 \_\_\_\_\_ 律師事務所發出，其地址為 \_\_\_\_\_，而該原告人的地址則為 \_\_\_\_\_。

\*(或凡原告人是親自起訴者。)

本令狀是由上述原告人發出，該原告人居於 \_\_\_\_\_ 及(如原告人並非居於本司法管轄權範圍內)其送達地址為 \_\_\_\_\_)。

(以下部分及首頁的[申索性質]部分並非表格 1 的部分)

有關屬實申述的格式，請參閱《高等法院規則》(第 4 章，附屬法例 A) 第 41 號命令第 5(1)條規則的規定。舉例如下：

“本人/原告人相信本申索陳述書所述事實屬實。”



表格 14  
傳訊令狀送達認收書  
(第 12 號命令第 3 條規則)

關於送達認收書的指示

1. 隨附的送達認收書表格應由代表被告人行事的律師撕下及填寫，或如被告人是親自行事，則應由被告人撕下及填寫。表格填妥後必須交付或以郵遞方式送交高等法院登記處，登記處的地址是：—

香港金鐘道 38 號高等法院低層 1 樓

2. 被告人如在其送達認收書中表示擬就法律程序提出爭議，則必須亦將一份抗辯書送交高等法院登記處存檔，該份抗辯書必須以中文或英文寫成，其文本並必須送達原告人的代表律師(或如原告人是親自行事，則送達原告人)。

如令狀註有申索陳述書(即在背頁上端出現“申索陳述書”等字)，則除非在對令狀作認收送達的時限後 28 天內有要求作判決的傳票送達被告人，否則必須在該段時限內將抗辯書送交存檔及送達。

令狀並無註有申索陳述書，則必須在申索陳述書送達被告人後 28 天內將抗辯書送交存檔及送達。

如被告人沒有在適當時限內將其抗辯書送交存檔及送達，則原告人可不發出進一步通知而登錄判被告人敗訴的判決。

被告人的抗辯書必須按照《高等法院規則》(第 4 章，附屬法例 A)第 41A 號命令，以屬實申述核實。

3. 如原告人尋求的唯一補救，是支付經算定款項或支付未經算定款項，你可藉填寫隨附於傳訊令狀的表格 16 或 16C (視乎情況所需)，承認原告人的整項申索或其部分。

填妥的表格 16 或 16C 必須在送達抗辯書的限期內，送交高等法院登記處存檔，並送達原告人[或原告人的律師]。

4. 被告人如意欲對原訟法庭在法律程序中的司法管轄權提出爭議，或意欲辯稱原訟法庭不應在有關法律程序中行使其司法管轄權，並意欲向原訟法庭提出申請，要求作出擱置法律程序的命令，必須就法律程序發出擬抗辯通知書，並必須在送達抗辯書的時限內提出申請。

見隨附的填寫指引

## 填寫指引

1. 每一名被告人(如被告人多於一名)均須填寫一份送達認收書，並將之交回高等法院登記處。

[2. 為計算作認收送達的 14 天期限，面交送達被告人的令狀視作已在其交付被告人之日送達，而以郵遞或投入被告人信箱的方式送達的令狀，則視作已在投寄或投入被告人信箱之日後第七天送達。]

(備註：如被告人是一間公司而令狀是在該公司的註冊辦事處送達，則此條並不適用。)

3. 凡被告人是以有別於其本身姓名或名稱的姓名或名稱被起訴，表格必須由他填寫，並須在第 1 段中加上“以(傳訊令狀所述明的姓名或名稱)之名被起訴”等字。

4. 凡被告人是一間商號，且並沒有指示律師代為行事，表格必須由一名合夥人以其姓名或名稱填寫，並須在第 1 段中在其姓名或名稱之後加上“(.....)商號的合夥人”的描述。

5. 凡被告人是以個人身分以其本身姓名以外的名稱營業而被起訴，表格必須由他填寫，並須在第 1 段中在其姓名之後加上“以(.....)之名營業”的描述。

6. 凡被告人是一間有限公司，表格必須由律師或獲授權代該公司行事的人填寫，但該公司如無律師代表行事，則不得在法律程序中採取進一步的步驟。

7. 凡被告人是未成年人或精神病人，表格必須由辯護監護人的代表律師填寫。

8. 親自行事的被告人可在高等法院登記處獲取協助填寫表格。

9. 本填寫指引只適用於比較普通的案件，親自行事的被告人如有困難應參閱上文第 8 段。



香港特別行政區  
高等法院  
原訟法庭  
高院民事訴訟 2019 年第 1918 號

原告人

及

被告人

傳訊令狀送達認收書

如你擬指示律師代為行事，請立即將本表格交給他。

**重要事項：**填寫本表格前請小心閱讀隨附的指示及填寫指引。如錯誤提供任何所需資料或該等資料有所遺漏，則本表格可能須予退回。

任何延遲可能會導致登錄判被告人敗訴的判決，而被告人或其律師可能須支付申請將該判決作廢的訟費。

見指引 1、3、4 及 5。 1. 述明對令狀作認收送達或由他人代為對令狀作認收送達的被告人的全名。

2. 述明被告人是否擬就法律程序提出爭議。  
(在適用的方格內加上“✓”號)

是  否

見指示 3。 3. 如原告人尋求的唯一補救，是支付經算定款項或支付未經算定款項，述明被告人是否擬作出承認。  
(在適用的方格內加上“✓”號)。

是  否

如擬作出承認，被告人可藉填寫隨附於傳訊令狀的表格 16 或 16C (視乎情況所需) 而作出承認。



方括號內字句  
如不適用請予  
刪去。

本人據此對令狀作認收送達。

(簽署) [律師] ( )  
[無律師代表的被告人]

送達地址

*關於送達地址的備註*

律師： 凡被告人是由律師代表，述明該律師在香港的營業地點。

無律師代表的被告人：凡被告人是親自行事，被告人必須填上其居所，或如被告人並非居於香港，則必須填上一個給予他的通訊所應送交的香港地址。如屬有限公司，“居所”(residence)指其註冊或主要辦事處。

史蒂文生黃律師事務所  
原告人代表律師  
香港中環皇后大道中 15 號  
置地廣場告羅士打大廈 39 樓  
電話: 2526 6311 傳真: 2845 0638  
檔案編號: KHL/HYC/WYC/19 (LIT)

香港特別行政區  
高等法院  
原訟法庭  
1918 號  
高院民事訴訟 2019 年第

原告人

及

被告人

傳訊令狀送達認收書

如你擬指示律師代為行事，請立即將本表格交給他。

**重要事項：**填寫本表格前請小心閱讀隨附的指示及填寫指引。如錯誤提供任何所需資料或該等資料有所遺漏，則本表格可能須予退回。

任何延遲可能會導致登錄判被告人敗訴的判決，而被告人或其律師可能須支付申請將該判決作廢的訟費。

見指引 1、3、4 及 5。 1. 述明對令狀作認收送達或由他人代為對令狀作認收送達的被告人的全名。

2. 述明被告人是否擬就法律程序提出爭議。  
(在適用的方格內加上“√”號)

是  否

見指示 3。 3. 如原告人尋求的唯一補救，是支付經算定款項或支付未經算定款項，述明被告人是否擬作出承認。  
(在適用的方格內加上“√”號)。

是  否

如擬作出承認，被告人可藉填寫隨附於傳訊令狀的表格 16 或 16C (視乎情況所需) 而作出承認。

方括號內字句  
如不適用請予  
刪去。

本人據此對令狀作認收送達。

(簽署) [律師] ( )  
[無律師代表的被告人]

送達地址

*關於送達地址的備註*

律師： 凡被告人是由律師代表，述明該律師在香港的營業地點。

無律師代表的被告人：凡被告人是親自行事，被告人必須填上其居所，或如被告人並非居於香港，則必須填上一個給予他的通訊所應送交的香港地址。如屬有限公司，“居所”(residence)指其註冊或主要辦事處。

史蒂文生黃律師事務所  
原告人代表律師  
香港中環皇后大道中 15 號  
置地廣場告羅士打大廈 39 樓  
電話: 2526 6311 傳真: 2845 0638  
檔案編號: KHL/HYC/WYC/19 (LIT)



香港特別行政區  
高等法院  
原訟法庭  
高院民事訴訟 2019 年第 1918 號

原告人

及

被告人

傳訊令狀送達認收書

如你擬指示律師代為行事，請立即將本表格交給他。

**重要事項：**填寫本表格前請小心閱讀隨附的指示及填寫指引。如錯誤提供任何所需資料或該等資料有所遺漏，則本表格可能須予退回。

任何延遲可能會導致登錄判被告人敗訴的判決，而被告人或其律師可能須支付申請將該判決作廢的訟費。

見指引 1、3、4 及 5。 1. 述明對令狀作認收送達或由他人代為對令狀作認收送達的被告人的全名。

2. 述明被告人是否擬就法律程序提出爭議。  
(在適用的方格內加上“√”號)

是  否

見指示 3。 3. 如原告人尋求的唯一補救，是支付經算定款項或支付未經算定款項，述明被告人是否擬作出承認。  
(在適用的方格內加上“√”號)。

是  否

如擬作出承認，被告人可藉填寫隨附於傳訊令狀的表格 16 或 16C (視乎情況所需) 而作出承認。

方括號內字句  
如不適用請予  
刪去。

本人據此對令狀作認收送達。

(簽署) [律師] ( )  
[無律師代表的被告人]

送達地址

*關於送達地址的備註*

律師： 凡被告人是由律師代表，述明該律師在香港的營業地點。

無律師代表的被告人： 凡被告人是親自行事，被告人必須填上其居所，或如被告人並非居於香港，則必須填上一個給予他的通訊所應送交的香港地址。如屬有限公司，“居所”(residence)指其註冊或主要辦事處。

史蒂文生黃律師事務所  
原告人代表律師  
香港中環皇后大道中 15 號  
置地廣場告羅士打大廈 39 樓  
電話: 2526 6311 傳真: 2845 0638  
檔案編號: KHL/HYC/WYC/19 (LIT)

香港特別行政區  
高等法院  
原訟法庭  
高院民事訴訟 2019 年第 1918 號

BETWEEN

and

原告人

被告人

傳訊令狀

發出日期:                   年           月           日  
送交存檔日期:           年           月           日

史蒂文生黃律師事務所  
原告人代表律師  
香港中環皇后大道中 15 號  
置地廣場告羅士打大廈 39 樓  
電話: 2526 6311 傳真: 2845 0638  
檔案編號: KHL/HYC/WYC/19 (LIT)



IN THE HIGH COURT OF THE  
HONG KONG SPECIAL ADMINISTRATIVE REGION  
COURT OF FIRST INSTANCE  
ACTION NO. 1918 OF 2019

BETWEEN  
CHINA AOYUAN GROUP LIMITED 1<sup>st</sup> Plaintiff  
(中國奧園集團股份有限公司)  
GUO ZINING (郭梓寧) 2<sup>nd</sup> Plaintiff  
PRIME CHAMPION ENTERPRISE 3<sup>rd</sup> Plaintiff  
COMPANY LIMITED  
(丞冠企業有限公司)

AND

CHAN TAK SUM (陳德心) 1<sup>st</sup> Defendant  
CHEN XIANGYU (陳香玉) 2<sup>nd</sup> Defendant  
ZHU CANQIU (朱燦秋) 3<sup>rd</sup> Defendant  
黃麗雅 4<sup>th</sup> Defendant  
PERSONS WHO WILFULLY CAUSED 5<sup>th</sup> Defendant  
DISRUPTION TO OR INTERFERED WITH  
THE USE OF THE SHOWROOM AT ROOM  
03, 23/F, CROCODILE CENTER, 79 HOI  
YUEN ROAD, KWUN TONG, KOWLOON,  
HONG KONG ON 7, 8, 14, 26 SEPTEMBER  
2019 OR 10, 11 OCTOBER 2019  
PERSONS WHO DISPLAYED OR CAUSED 6<sup>th</sup> Defendant  
TO BE DISPLAYED POSTERS AND/OR  
BANNERS CONTAINING STATEMENTS  
OF DEFAMATORY NATURE  
CONCERNING THE 1<sup>ST</sup> AND/OR THE 2<sup>ND</sup>  
PLAINTIFFS IN LOCATIONS SET OUT IN  
PARAGRAPH 5 OF THE INDORSEMENT

---

WRIT OF SUMMONS

---

Dated the 18<sup>th</sup> day of October 2019  
Filed on the 18<sup>th</sup> day of October 2019

STEVENSON, WONG & CO.  
Solicitors for the Plaintiffs  
39/F, Gloucester Tower, The Landmark,  
15 Queen's Road Central,  
Hong Kong  
Tel: 2526 6311 Fax: 2845 0638  
Ref: KHL/HYC/WYC/19 (LIT)