

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)
GUO ZINING (郭梓寧)
PRIME CHAMPION ENTERPRISE
COMPANY LIMITED
(丞冠企業有限公司)

1st Plaintiff

2nd Plaintiff

3rd Plaintiff

25 OCT 2019

AND

CHAN TAK SUM (陳德心)

1st Defendant

CHEN XIANGYU (陳香玉)

2nd Defendant

ZHU CANQIU (朱燦秋)

3rd Defendant

黃麗雅

4th 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

5th Defendant

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

6th Defendant

PENAL NOTICE

If you, the above-named Defendants, neglect to obey or comply with the Orders set out below, you may be held in contempt of Court and you may be sent to prison or fined or liable to process of execution to compel you to obey the Order. Any person who assists any of the above-named Defendants in breaching the Orders set out below may also be held in contempt of Court and may be sent to prison or fined.

IMPORTANT NOTICE TO THE DEFENDANTS

這是法律文件，忽視它可帶來嚴重的後果。

This is a legal document. The consequences of ignoring are serious.

如有疑問，請儘早向發出文件的法庭登記處（香港金鐘道 38 號高等法院大樓低層一樓 LG1）查詢。

If in doubt, you should enquire as soon as possible at the Registry of Court issuing the document, namely LG1, High Court Building, 38 Queensway, Hong Kong.

你亦應考慮聽取律師的意見或是申請法律援助。

You should also consider taking the advice of a solicitor or applying for legal aid.

BEFORE THE HONOURABLE MADAM JUSTICE LISA WONG IN CHAMBERS

ORDER

UPON the application of the Solicitors for the Plaintiffs by way of Summons filed herein on 21 October 2019

AND UPON reading the Writ of Summons with Indorsement of Claim filed on 18 October 2019, the Order made by the Honourable Mr. Justice Wilson Chan on 18 October 2019, the Skeleton Submissions of the Plaintiffs (used at ex-parte application for injunction on 18 October 2019), the Affirmation of Ning Shuai dated 17 October 2019 together with the exhibits referred to therein, the Affirmation of Cho Cheuk Lun dated 17 October 2019 together with the exhibits referred to therein, the Affirmation of Ai Jianhui dated 17 October 2019 together with the exhibits referred to therein, the Affirmation of Lo Ka Chun dated 17 October 2019 together with the exhibits referred to therein, the Affirmation of Lo Tin Kin dated 17 October 2019 together with the exhibits referred to therein, the 2nd Affirmation of Lo Ka Chun dated 18 October 2019 together with the exhibits referred to therein, the 3rd Affirmation of Lo Ka Chun dated 23 October 2019 together with the exhibits referred to therein and the Affirmation of Tsang Wai Hung dated 23 October 2019 and the Skeleton Argument of the Plaintiffs

AND UPON the Plaintiffs' undertaking to abide by any order which the Court may make as to damages if the Court later finds that this Order has caused loss to the Defendants

AND UPON hearing Counsel for the Plaintiffs and the Defendants being absent

IT IS ORDERED that:

Injunction

1. Hearing of the Plaintiffs' Summons dated 21 October 2019 be adjourned to the Summons Judge on 24 April 2020 without prejudice to the Defendants' right to apply to Court at any time to vary or discharge the Order to be continued in paragraph 2 below with 48 hours' notice to the Plaintiffs' solicitors ;
2. Paragraphs 1, 2, 3 and 5 of the Ex Parte Order made by the Honourable Mr. Justice Wilson Chan dated 18 October 2019 be continued until the determination of the Plaintiffs' said Summons or until further order of the Court;
3. Paragraph 4 of the said Ex Parte Order be amended to the effect that the Plaintiffs themselves instead of the bailiff be authorised to effect clearance and removal of any material put up by the Defendants in any public places in breach of paragraphs 1, 2 and 3 of the said Ex Parte Order;
4. Paragraph 4 of the said Ex Parte Order amended aforesaid shall be continued until the determination of the Plaintiffs' said Summons or until further order of the Court;

Service

5. Leave be granted to the Plaintiffs to serve this Order on the 5th and 6th Defendants by way of substituted service by:
 - (a) fixing a copy of this Order in conspicuous places at the entrance of the Showroom (as defined in the Ex Parte Injunction Order”);

- (b) posting a copy of this Order on the website of the 1st Plaintiff (www.aoyuan.com.cn); and
- (c) publishing a copy of this Order in one English newspaper and two Chinese newspapers in Hong Kong for 3 consecutive days;

Other orders

6. Liberty to apply; and

7. Costs be reserved.

Dated this 25th day of October 2019.

Registrar

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ORDER

Dated the 25th day of October 2019.

Filed on the 25th 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: EYC/HYC/HLO(P)/81600/19