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## **BIRMINGHAM INTERNATIONAL HOLDINGS LIMITED** **伯明翰環球控股有限公司**

*(Receivers Appointed)*

*(incorporated in the Cayman Islands with limited liability)*

**(Stock Code: 2309)**

### **CLARIFICATION OF THE LEGAL PROCEEDINGS AGAINST THE COMPANY, ITS SHARE REGISTRAR AND THE RECEIVERS REPORTED IN THE NEWSPAPERS**

This announcement is issued by the Company pursuant to Rule 13.09 of the Listing Rules, and the provisions under Part XIVA of the SFO.

The Company has noticed certain reports (“the Reports”) in the newspapers on 25 February 2015 referring to the Legal Proceedings against the Company, its Share Registrar and the Receivers with a hearing date fixed on 6 May 2015.

#### **BACKGROUND INFORMATION OF THE LEGAL PROCEEDINGS**

At around noon on 18 February 2015, the date immediately before the Chinese New Year, each of the Company and the Receivers received, among other things, an undated Ex parte Summons (the “Ex parte Summons”) and an undated Originating Summons (the “Originating Summons” and together with the Ex parte Summons, the “Summons”), both of which were taken out by Messrs. Bough & Company, the solicitors for the Plaintiff, Yeung Ka Sing Carson, on an allegedly urgent basis. None of the Summons was filed with the High Court at that time.

The Company by its Senior Counsel and a representative of the Receivers immediately attended the hearing at extremely short notice before Deputy High Court Judge Wilson Chan (“the Judge”) in Chambers (not open to public).

After hearing arguments by all the parties, the Judge did not make any substantive Order as claimed by Mr. Yeung in the Legal Proceedings and at the said hearing. The Legal Proceedings were completely disposed of and there is no more claim by Mr. Yeung against the Company or the Receivers. Indeed, the Judge remarked that he could not see any urgency which justified the application having to be made ex parte.

It should be pointed out that the only Order made by the Judge reads as follows: —

“BY CONSENT IT IS ORDERED that: —

1. Leave be granted to join the 3rd Defendants as parties to these proceedings.
2. There be no order as to costs of this application.”

These are merely procedural matters and do not relate to any of the substantive reliefs claimed by Mr. Yeung in the Legal Proceedings and at the said hearing.

#### **THE ORIGINATING SUMMONS UNDER THE LEGAL PROCEEDINGS WITH A RETURN DATE OF 6 MAY 2015 (THE “HEARING DATE”)**

The Company has never been served with the actual Originating Summons as filed in the Court Registry under the Legal Proceedings, and up to the date of publication of the Reports, the Company was not aware of the Hearing Date fixed. Upon checking with the Court Registry by the Company’s solicitors, it was discovered that owing to certain errors made by the solicitors for Mr. Yeung, the Originating Summons under the Legal Proceedings with the Hearing Date before Justice G. Lam at 2:30 p.m. were erroneously filed with the Court. In fact, the solicitor for Mr. Yeung has on 24 February 2015 filed an affidavit admitting to errors made by his firm, enclosing an Amended Originating Summons and stating to the effect that the Originating Summons under the Legal Proceedings with the Hearing Date before Justice G. Lam at 2:30 p.m. had never been served on the Defendants and asking the Court to vacate the Hearing Date fixed before Justice G. Lam. In such circumstances, there will be no hearing date for the Legal Proceedings whether on 6 May 2015 or any time before or after that date. Furthermore, there is no outstanding claim by Mr. Yeung against the Company or the Receivers under the Legal Proceedings or otherwise.

#### **CONTINUOUS SUSPENSION OF TRADING**

At the request of the Company, trading in the Shares on the Stock Exchange was halted with effect from 10:21 a.m. on 4 December 2014. Trading in the Shares will remain suspended until further notice. The Company will make further announcements on the latest development of the Group as and when appropriate pursuant to the requirements of the Listing Rules.

## DEFINITIONS

In this announcement, the following expressions have the following meanings, unless the context otherwise requires:

“Board”	the board of Directors
“Company”	Birmingham International Holdings Limited, a company incorporated in the Cayman Islands with limited liability and the Shares are listed on the Main Board of the Stock Exchange
“Defendants”	the Company as the 1st Defendant, Tricor Tengis Limited as the 2nd Defendant and the Receivers as the 3rd Defendants
“Director(s)”	the director(s) of the Company
“Group”	the Company and its subsidiaries
“HK\$”	Hong Kong dollars, the lawful currency of Hong Kong
“Hong Kong”	the Hong Kong Special Administrative Region of the People’s Republic of China
“Legal Proceedings”	the High Court Miscellaneous Proceedings No. 439 of 2015 issued by the Plaintiff against the Defendants
“Listing Rules”	the Rules Governing the Listing of Securities on the Stock Exchange
“Plaintiff” or “Mr. Yeung”	Mr. Yeung Ka Sing, Carson, a former executive Director and Chairman who resigned on 4 February 2014 and current Shareholder
“Receivers”	Messrs. Stephen Liu Yiu Keung, David Yen Ching Wai and Koo Chi Sum all of Ernst & Young Transactions Limited of 62nd Floor, One Island East, 18 Westlands Road, Island East, Hong Kong
“Share(s)”	share(s) of HK\$0.01 (each) in the capital of the Company
“Shareholders”	person(s) whose name(s) appear in the register of members of the Company as the holder(s) of Shares

“SFO” the Securities and Futures Ordinance (Chapter 571 of the Laws of Hong Kong)

“Stock Exchange” The Stock Exchange of Hong Kong Limited

For and on behalf of  
**Birmingham International Holdings Limited**  
**(Receivers Appointed)**  
**Stephen Liu Yiu Keung, David Yen Ching Wai and Koo Chi Sum**  
*Joint and Several Receivers*

Hong Kong, 26 February 2015

*As at the date of this announcement, the Board comprises 11 Directors, namely Mr. Cheung Shing, Mr. Ma Shui Cheong, Mr. Peter Pannu, Mr. Chan Shun Wah, Mr. Cheung Kwai Nang, Mr. Chen Liang and Mr. Panagiotis Pavlakis as executive Directors; and Mr. Wong Ka Chun, Carson, Mr. Gao Shi Kui, Mr. Liu Enxue and Mr. Li Hanguo as independent non-executive Directors.*