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IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

HC/OS 195/2019)

In the Matter of

ORDER 92 RULE 4 OF THE RULES OF COURT (CHAPTER 322, R 5, 2014 REV ED)

and

In the Matter of

SECTIONS 210 AND 211B OF THE COMPANIES ACT (CHAPTER 50, 2006 REVISED EDITION)

KYEN RESOURCES PTE. LTD.
(Singapore UEN No.: 201401027R)
... *Applicant*

NOTICE OF SECTION 211B APPLICATION

Notice is hereby given that **KYEN RESOURCES PTE. LTD.** (Singapore UEN No. 201401027R) (the "**Applicant**"), on 14 February 2019, filed an application in the High Court of the Republic of Singapore ("**Court**") pursuant to section 211B of the Companies Act and/or the inherent jurisdiction of the Court ("**Application**"), to seek, *inter alia*, orders that for a period of six months from the date of the grant of the Application or until further order: (i) save in respect of the exercise by United Overseas Bank Limited of its rights and powers as mortgagee arising under the Mortgage Instrument No. ID/959697G dated 6 May 2014 granted by the Company in respect of the property at 3 Church Street, #14-01/02/03/04 Samsung Hub, Singapore 049483 and registered with the Singapore Land Authority on 15 May 2014, no appointment shall be made of a receiver or manager over any property or undertaking of the Applicant; (ii) no action or proceedings in Singapore or elsewhere shall be commenced or continued against the Company (other than proceedings under sections 210, 211B, 211D, 211G, 211H or 212 of the Companies Act), except with the consent of the Company or the leave of the Court and subject to such terms as the Court imposes; (iii) no execution, distress or other legal process in Singapore or elsewhere against any property of the Company shall be commenced, continued or levied, except with the consent of the Company or the leave of the Court and subject to such terms as the Court imposes; and (iv) no step to enforce any security over any property of the Company, or to repossess any goods held by the Company under any chattels leasing agreement, hire-purchase agreement or retention of title agreement shall be taken or continued in Singapore or elsewhere, except with the consent of the Company or the leave of the Court and subject to such terms as the Court imposes (collectively with the relief sought in the foregoing paragraphs (i) to (iv), the "**Moratorium**"); and (v) and the Moratorium shall apply to any act of any person in Singapore or within the jurisdiction of the Court, whether the act takes place in Singapore or elsewhere.

The Application is directed to be heard before the Court sitting at the High Court on 12 March 2019 at 10:00am. (the "**Hearing**"). Any person who intends to oppose the making of an order under section 211B(1) of the Companies Act may appear at the time of the Hearing by himself or his counsel for that purpose; and a copy of the application and its supporting affidavit will be furnished to any creditor or member of the Applicant requiring them by the undersigned on payment of the regulated charge.

The Applicant's address is 3 Church Street, #14-03/04 Samsung Hub, Singapore 049483.

The Applicant's solicitors are **DREW AND NAPIER LLC** of 10 Collyer Quay #10-01 Ocean Financial Centre, Singapore 049315.

Note:—Any person who intends to appear at the Hearing must serve on or send by post to the abovenamed **DREW AND NAPIER LLC** notice in writing of his intention to do so. The notice must state the name and address of the person, or if a firm, the name and address of the firm, and must be signed by the person or firm, or his or their solicitor (if any) and must be served, or, if posted, must be signed by the person or firm, or his or their solicitor (if any) and must be served, or, if posted, must be sent by post in sufficient time to reach the abovenamed not later than 12 noon on 11 March 2019 (the day before the day appointed for the Hearing).

DREW & NAPIER LLC
Solicitors for the Applicant