First published in the Government *Gazette*, Electronic Edition, on 5 November 2021 at 5 pm.

IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

HC/OS 1084/2021

In the matter of Part 5, Section 64 of the Insolvency, Restructuring and Dissolution Act 2018 (No. 40 of 2018)

And

In the matter of an Application by

COMARCO SINGAPORE PTE. LTD.

(Singapore UEN No. 197000387N)

COMARCO SINGAPORE PTE. LTD.

(Singapore UEN No. 197000387N)

… Applicant

NOTICE OF SECTION 64 APPLICATION

Notice is hereby given that the abovenamed applicant, **COMARCO SINGAPORE PTE. LTD.** (Singapore UEN No. 197000387N) (the "**Applicant**"), had on 22 October 2021 filed an application in the General Division of the High Court of the Republic of Singapore (the "**Court**") pursuant to section 64 of the Insolvency, Restructuring and Dissolution Act (Act 40 of 2018) ("**IRDA**") (the "**Section 64 Application**"), to seek orders that, for a period of six (6) months from the date of the order to be made in HC/OS 1084/2021: (i) no order may be made and no resolution may be passed for the winding up of the Applicant; (ii) no actions or proceedings in Singapore (other than proceedings under section 210 or 212 of the Companies Act (Cap. 50), or section 64 or section 66, 69 or 70 of the IRDA) shall be commenced or continued against the Applicant except with the leave of the Court and subject to such terms as the Court imposes; (iii) no execution, distress or other legal process shall be commenced, continued or levied against any property of the Applicant, except with the leave of the Court and subject to such terms as the Court imposes; and (iv) no right of re-entry or forfeiture under any lease in respect of any premises occupied by the Applicant shall be enforced (including any enforcement pursuant to section 18 or 18A of the Conveyancing and Law of Property Act (Cap. 61)), except with the leave of the Court and subject to such terms as the Court imposes.

The Section 64 Application is directed to be heard before the Court at **10 am** on **17 November 2021**. Please note that the Court has given the following directions in the Section 64 Application:

(a) Creditors of the Applicant that are unrepresented by solicitors who wish to take a position on the Section 64 Application by filing an affidavit or making submissions to Court pursuant to the directions set out in the following paragraphs must seek leave of the Court to do so;

(b) Creditors of the Applicant wishing to file an affidavit to state their position on the Section 64 Application may do so by **12 pm** on **4 November 2021**;

(c) The Applicant is to file its reply affidavit by **12 pm** on **9 November 2021**;

(d) Parties wishing to address the Court at the hearing of the Section 64 Application are to file their written submissions and a bundle of any authorities they wish to refer to by **4 pm** on **11 November 2021**. The number of pages of the written submissions shall be limited to 40 pages for the Applicant, and 30 pages for every creditor; and

(e) The Company is to write into Court by **12 pm** on **12 November 2021** with the following information:

(i) a list of all creditors known to the Company, and where possible, their position on the Section 64 Application (i.e. whether they support, oppose, or take no position on the Section 64 Application);

(ii) an attendance list of all creditors and/or their solicitors who wish to attend the hearing of the Section 64 Application;

(iii) a compilation of letters of authorisation from companies claiming an interest in the matter authorising any persons who are not represented by solicitors ("**Legally Unrepresented Persons**") to attend the hearing in their capacity as corporate representatives of the companies ("**Letter of Authorisation**");

(iv) a proposed time bank setting out the allocation of time for oral submissions by each creditor or their solicitors who wish to do so; and

(v) if there are any changes to the matters set out in the above sub-paragraphs between 12 November 2021 at 12 noon and the hearing of the Section 64 Application, the Applicant is to update the Court accordingly.

Creditors of the Applicant are also to take note of the following:

(a) Legally Unrepresented Persons who wish to attend the hearing in their capacity as corporate representatives of companies claiming an interest in the above-captioned matter are to provide the Applicant's counsel with their Letter of Authorisation;

(b) Only Legally Unrepresented Persons who have registered with the Applicant's counsel and have provided their Letters of Authorisation will be allowed to address the Court;

(c) The dress code for all Legally Unrepresented Persons shall be office attire. Any Legally Unrepresented Persons inappropriately attired may not be permitted to attend the hearing; and

(d) On the day of the hearing of the Section 64 Application, all Legally Unrepresented Persons should have ready at their hand their identity cards, passports or other documents that will assist in the verification of their identity for the purpose of registration for the hearing.

The Applicant's address is 60 Paya Lebar Road, #06-01, Paya Lebar Square, Singapore 409051.

The Applicant's solicitors are **TAN KOK QUAN PARTNERSHIP** of 1 Wallich Street, #07-02 Guoco Tower, Singapore 078881.

TAN KOK QUAN PARTNERSHIP
Solicitors for the Applicant

Note: – Any person who intends to appear at the hearing of the Section 64 Application must email the abovenamed **TAN KOK QUAN PARTNERSHIP** notice in writing of his intention to do so, at siewguowei@tkqp.com.sg and natalieng@tkqp.com.sg. The notice must (a) state the name and address of the person, or if a corporate entity, the name and address of the corporate entity; (b) state the position they take on the Section 64 Application; (c) state whether they and/or their solicitors wish to address the Court at the hearing of the Section 64 Application, and if so, how much time would be required to make such oral submissions; and (d) include, if applicable, a Letter of Authorisation from the corporate entity on behalf of which they will be attending the hearing. The notice must be signed by the person or corporate entity, or his or their solicitor (if any). Creditors wishing to address the Court at the hearing of the Section 64 Application are requested to email the abovenamed **TAN KOK QUAN PARTNERSHIP** no later than **4.00 pm** on **10 November 2021**.

TAN KOK QUAN PARTNERSHIP
Solicitors for the Applicant