

MATERIAL LITIGATIONS

Save as disclosed below, DutaLand Berhad (“DutaLand”) and its subsidiary companies are not engaged in any material litigation, claims or arbitration, either as plaintiff or defendant and the Directors of DutaLand have no knowledge of any proceedings pending or threatened against DutaLand and its subsidiary companies or of any fact likely to give rise to any proceeding which may materially affect the position or business of DutaLand and its subsidiary companies:

1. On 8 June 2016, Messrs. Yap Chin & Tiu (“Plaintiff”) claimed for a sum of RM4,723,106.87 (“Sum in Bill”) from DutaLand & Anor (“Defendants”) at the Kuala Lumpur High Court being the fees allegedly owed by DutaLand to the Plaintiff, whereby the Plaintiff purportedly acted as the solicitors of UNP Plywood Sdn Bhd (“UNP”) in a suit between UNP and Sabah Forest Industries Sdn Bhd (“SFI”) (“UNP Dispute”) at Kota Kinabalu High Court (Suit No. K22-55-1997), and has since been settled. The Plaintiff still retains RM663,589.20 being costs awarded against SFI to UNP by the Kota Kinabalu High Court (“Awarded Costs”) and therefore also made an alternate claim for a sum of RM4,059,517.67 and a declaration/order to set off/deduct the Awarded Costs against the Sum in Bill. The case management date for the matter is fixed on 28 September 2016. On 28 September 2016 the Plaintiff served the Amended Statement of Claim to the Defendants’ solicitors, therefore the presiding judge directed the parties to file their Amended Statement of Defence on or before 12 October 2016, and further fixed the matter for case management on 12 October 2016 to update Court the status of pleadings. On 12 October 2016, both parties agreed to an extension of time of one week for the Defendants to file their Statement of Defence pending receipt of further and better particulars, Court fixed the matter for next case management on 17 November 2016. On 17 November 2016 our solicitors informed Court in regards to the status of pleadings which first Defendant had filed their Amended Statement of Defence on 27 October 2016, whilst second Defendant filed their Amended Statement of Defence on 26 October 2016. The Court has fixed for next case management on 13 December 2016. On 13 December 2016, Court has given pre-trial directions to the parties, and fix for further Case Management on 18 January 2017 pending compliance of Court directions. On 18 January 2017, parties informed Court that the necessary documents have been served and filed accordingly. Court then fixed the trial on 19, 20, 21 July 2017, and 17 August 2017. Further to that, Court has also fixed a Case Management date on 22 February 2017 to update Court the status of the documents (Statement of Agreed Facts, Classification of Documents and Defence’s Case Summary).
2. On 10 May 2013, Lin Wen-Chih and Lin Wen-Chuan (collectively referred to as the “Plaintiffs”) commenced legal action against Pacific Forest Industries Sdn Bhd, a subsidiary of DutaLand (“Pacific Forest”) and DutaLand (Defendants) at the Tawau High Court claiming for a sum of RM16,859,186.65 allegedly owing to the Plaintiffs by Pacific Forest.

Pacific Forest and DutaLand subsequently filed an application to strike out the Plaintiffs’ writ and statement of claim which was allowed by the Tawau High Court with costs of RM45,000.00. The Plaintiffs appealed against this decision and the hearing has been fixed on 20 September 2016. The (Appellant’s / Plaintiff’s) appeal against the (Respondents / Defendants) was allowed with cost of RM20,000.00 to be paid by Respondents. The Respondents had on 17 October 2016 filed an appeal against Court of Appeal’s decision to Federal Court. The Federal Court has yet to fix the Hearing date.

3. On 13 December 2006, Rinota Construction Sdn Bhd (“Plaintiff”) filed an action against Mascon Rinota Sdn Bhd (“MRSB”), Mascon Sdn Bhd (“MSB”), Olympia Industries Berhad (“OIB”) and others at the Kuala Lumpur High Court (“KLHC”) by virtue of an alleged oppression under section 181 of the Act (“Original Petition”). The Plaintiff sought damages of approximately RM8.0 million. On 21 October 2007, the Plaintiff filed an application to amend the Original Petition by adding Mascon Construction Sdn Bhd, a subsidiary of DutaLand (“MCSB”), as another respondent and such application was subsequently allowed by the KLHC. MSB, a subsidiary of OIB, was wound up on 25 March 2008. On 29 August 2012, KLHC ruled in favour of the Plaintiff with an order for MCSB and others to buy out the Plaintiff’s shareholding in MRSB which was a subsidiary of MSB. On 27 September 2012, MCSB and the others appealed against this decision (“Appeal”), which Appeal was allowed with costs of RM100,000.00. The Plaintiff filed an application for leave to appeal to the Federal Court which was granted on 21 June 2016 and the hearing for the Plaintiff’s appeal is fixed on 24 November 2016. The Court re-fixed the hearing date to 21 February 2017 after the case was vacated on 24 November 2016. On 24th November 2016, the case was vacated therefore Court had re-fixed the Hearing date on 21st February 2017. On 6th February 2017, Federal Court informed our solicitor that the Hearing date which was fixed earlier on 21st February 2017 was vacated and fixed for Case Management on 8th February 2017. On 8th February 2017, the matter was fixed for Case Management Court has further instructed parties to file their respective Submission in Reply on or before 8th May 2017, and Court had also fixed the appeal for Hearing on 22nd May 2017.