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Jumlah RM**********16.00

DALAM MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR
DALAM WILAYAH PERSEKUTUAN, MALAYSIA
GUAMAN SIVIL NO.:

Antara

1. Arthur J. Mirante II
[No. Paspot USA: 552357147]

2. Ronald Barrie Clapham
[No. Paspot UK: 556764826]

3. Charles Robert Henry Stone
[No. Paspot UK: 139848497]
(Pelaksana harta pusaka Michael John Christopher Stone, si mati, No. Paspot UK: 720104039)

4. Graham David Bell
[No. Paspot UK: 554173108]

5. Paul Sallis Benney
[No. Paspot UK: 576550078]

6. Paul Nicholas Smith
[No. Paspot UK: 517997217]

7. Octavio Augusto Vallarino Arias
[No. Pasport Panama: PA0594477]

8. Simon Hafeitz Homsany
[No. Pasport Panama: PA0777526]

9. Talbott Gerard Young
[No. Paspot USA: 567400416]

10. Uri Fruchtmann
[No. Paspot Jerman: C4JTY58T0]

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11. Andrew Murray-Watson
[No. Paspot UK:124401991]

12. April Srivikorn
[No. Paspot USA: 567869365]

... Plaintif-plaintif

Dan

1. Vinod Balachandra Sekhar a/l Tan Sri B C Sekhar
[No. K/P Malaysia: 680806-10-5891]

2. Winy Yeap Liew Heoh
[No. K/P Malaysia: 680817-08-5478]

... Defendan-defendan

Pernyataan Tuntutan

Pihak-Pihak

1. Plaintif-plaintif adalah pelbagai individu yang butirannya dilampirkan kepada pernyataan tuntutan di sini dan ditandakan sebagai "Lampiran A". Untuk memudahkan rujukan, plaintif pertama hingga ke-10 akan dirujuk sebagai **"P1 hingga P10"** manakala plaintif ke-11 dan ke-12 akan dirujuk sebagai **"P11 dan P12"**.

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2. Defendan pertama adalah seorang warganegara Malaysia dan beralamat di No. 15, Jalan Nusa, Bukit Tunku, 50480 Kuala Lumpur, Wilayah Persekutuan Kuala Lumpur. Defendan pertama telah di jadikan sebagai seorang bankrap pada atau lebih kurang 8/6/2005.Defendan pertama dikatakan *(purportedly)* bukan lagi seorang bankrap.

3. Defendan ke-2 adalah seorang warganegara Malaysia beralamat di No. 15, Jalan Nusa, Bukit Tunku, 50480 Kuala Lumpur, Wilayah Persekutuan Kuala Lumpur. Defendan ke-2 ialah isteri kepada defendan pertama.

4. Petra Equities Management Sdn Bhd (PEMSB) merupakan syarikat yang diperbadankan di Malaysia dan mempunyai alamat berdaftar di U. B3-10, Blk B, Plaza Dwitasik, 21, Jalan 5/106, Bdr Sri Permaisuri, 56000, Kuala Lumpur Wilayah Persekutuan.

5. Pengarah-pengarah PEMSB adalah seperti berikut:

   i. Tengku Muinuddin Putra; dan

   ii. Defendan ke-2.

S/N 2v4rDLLMEkq6vjlP4nr7Zw
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6. Pemegang-pemegang saham PEMSB adalah seperti berikut:

   i. Petra Equities Sdn Bhd dengan jumlah 960,000 saham;

   ii. Zulkurnain Bin Ahmad dengan jumlah 20,000 saham; dan

   iii. Zainizam Bin Azmi dengan jumlah 20,000 saham.

7. Petra Equities Sdn Bhd (PESB) merupakan syarikat yang diperbadankan di Malaysia dan mempunyai alamat berdaftar di Level 8, Menara Milenium, No.8, Jalan Damanlela, Bukit Damansara, 50490, Kuala Lumpur Wilayah Persekutuan.

8. Pengarah-pengarah PESB adalah seperti berikut:

   i. Defendan pertama; dan

   ii. Y.A.M. Tan Sri Tunku Imran Ibni Tuanku Ja'afar.

9. Pemegang-pemegang saham PESB adalah seperti berikut:

   i. Defendan pertama dengan jumlah 7,500,000 saham; dan

   ii. Y.A.M. Tan Sri Tunku Imran Ibni Tuanku Ja'afar dengan jumlah 7,500,000 saham.

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Tuntutan Plaintif-Plaintif Terhadap Defendan Pertama

10. Tuntutan plaintif-plaintif terhadap defendan pertama adalah berdasarkan penipuan *(fraud)*, misrepresentasi, kemungkiran kontrak, wang yang dibayar secara salah *(money had and received)*, dan atas pengakuan hutang *(acknowledgment of debt)*, mengikut mana-mana yang berkenaan.

11. Plaintif-plaintif memplid bahawa fakta-fakta seperti yang dinyatakan selepas ini adalah asas kepada satu atau lebih kausa-kausa tindakan seperti yang diplid dalam perenggan 10 di sini.

12. Antara 2002 dan 2017, defendan pertama telah memujuk plaintif-plaintif untuk melaburkan wang mereka dengan defendan pertama, atau dengan pelbagai syarikat-syarikat yang berkaitan dengan defendan pertama, termasuk PEMSB.

13. Semasa perbincangan antara plaintif-plaintif dan defendan pertama, defendan pertama pada asasnya mewakili kepada plaintif-plaintif bahawa beliau adalah seorang yang terkenal dalam komuniti korporat dan perniagaan di Malaysia. Defendan pertama seterusnya mewakili kepada plaintif-plaintif bahawa

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ayahnya, Tan Sri B. C. Sekhar, adalah seorang yang terkenal dalam industri getah.

14. Defendan pertama tidak pernah memberitahu kepada plaintif-plaintif bahawa beliau seorang bankrap sama ada pada masa plaintif-plaintif memajukan wang kepada defendan pertama atau pada bila-bila masa yang material selepas itu. Sebenarnya, apabila P11 secara khusus menyoal defendan pertama mengenai kebankrapannya melalui e-mel bertarikh 30/9/2010, defendan pertama menolaknya *(brushed it off)*, dan seolah-olah mencadangkan bahawa seorang "Anwar" akan mengurus perkara tersebut.

15. Sepanjang tempoh kebankrapan defendan pertama, Ketua Pengarah Insolvensi mengendalikan perkara-perkara undang *(legal matters)* defendan pertama dan membuat pembayaran dividen kepada pemiutang-pemiutang defendan pertama.

16. Dalam e-mel daripada defendan pertama kepada P2 bertarikh 3/10/2008, defendan pertama menyatakan bahawa beliau menjajarkan dengan *(aligned to)* "Anwar".

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17. Plaintif-plaintif percaya bahawa "Anwar" yang disebut dalam perenggan-perenggan 14 dan 16 di sini, adalah merujuk kepada Perdana Menteri Malaysia sekarang, Dato' Seri Anwar bin Ibrahim.

Butiran-Butiran Berkaitan Tuntutan
P1 hingga P10 Terhadap Defendan Pertama

P1

18. Atas permintaan defendan pertama, P1 telah memindahkan sejumlah GBP(£) 100,000.00 kepada defendan pertama. Bayaran pertama sebanyak GBP(£) 65,000.00 telah dipindahkan oleh P1 kepada defendan pertama pada atau kira-kira 10/10/2005 dan pemindahan wang tersebut telah diakui *(acknowledged)* oleh defendan pertama melalui surat bertarikh 10/10/2005 yang dikeluarkan oleh Petra Group. Bayaran ke-2 sebanyak GBP(£) 35,000.00 telah dipindahkan oleh P1 kepada PEMSB, atas permintaan defendan pertama, pada atau kira-kira 9/12/2005

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P2

19. Atas permintaan defendan pertama, P2 telah memindahkan jumlah GBP(£) 300,000.00 kepada PEMSB, pada atau kira-kira 8/1/2003. Jumlah tersebut telah diakui oleh defendan pertama pada atau kira-kira 6/12/2006.

P3

20. P3 ialah pelaksana harta pusaka Encik Michael John Christopher Stone (selepas ini dirujuk sebagai **"si mati"**). Atas permintaan defendan pertama, si mati telah memindahkan jumlah GBP(£) 300,000.00 kepada PEMSB pada atau kira-kira 12/2/2008.

P4

21. Atas permintaan defendan pertama, P4 telah memindahkan jumlah US$ 250,000.00 kepada defendan pertama pada atau kira-kira 3/6/2002. Penerimaan wang tersebut telah diakui oleh defendan pertama melalui surat bertarikh 3/6/2002 yang dikeluarkan oleh satu "Petra Group" kepada P4 dan ditandatangani oleh defendan pertama.

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P5

22. Atas permintaan defendan pertama, P5 telah memindahkan jumlah GBP(£) 50,000.00 kepada defendan pertama untuk pembelian saham dalam satu Elastomer (Green Rubber) pada atau kira-kira 28/1/2008. Penerimaan wang tersebut telah diakui oleh defendan pertama melalui e-mel bertarikh 28/1/2008 antara defendan pertama dan P5.

P6

23. Atas permintaan defendan pertama, P6 telah memindahkan jumlah GBP(£) 65,000.00 kepada satu Dennis Nik & Wong, Peguambela dan Peguamcara, pada atau kira-kira 12/9/2017. Penerimaan wang daripada P6 kepada defendan pertama telah diakui oleh defendan pertama melalui mesej WhatsApp daripada defendan pertama kepada P6 pada atau kira-kira 6/7/2018.

24. Pada atau kira-kira 4/8/2020, defendan pertama melalui e-mel memaklumkan P6 bahawa terdapat kelewatan dalam pulangan pelaburan *(return of investment)* (ROI) disebabkan oleh pandemik Covid-19.

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P7 dan P8

25. Atas permintaan defendan pertama, P7 dan P8 telah memindahkan jumlah US$ 1,200,000.00 kepada PEMSB pada atau kira-kira 27/7/2007. Penerimaan wang tersebut telah diakui oleh defendan pertama melalui e-mel bertarikh 27/7/2007 daripada defendan pertama kepada P7.

P9

26. Atas permintaan defendan pertama, P9 telah memindahkan jumlah GBP(£) 124,000.00 dan jumlah US$ 30,000.00 atau lebih kurang kepada defendan pertama pada tahun 2006. Bayaran pertama adalah untuk jumlah GBP(£) 124,000.00 dan pemindahan wang tersebut telah diakui oleh defendan pertama pada atau kira-kira 6/12/2006. Bayaran ke-2 adalah untuk jumlah US$ 30,000.00 di mana defendan pertama telah meminta P9 membayar melalui kad kreditnya untuk acara yang dianjurkan oleh defendan pertama di Langkawi, Malaysia. Defendan pertama berjanji akan membayar balik jumlah tersebut sebanyak US$ 30,000.00 kepada P9 melalui saham.

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P10

27. Atas permintaan defendan pertama, P10 telah memindahkan jumlah US$ 200,000.00 atau lebih kurang kepada defendan pertama pada atau kira-kira 6/3/2009.

Butiran-Butiran Berkaitan Tuntutan P11 dan P12 Terhadap Defendan Pertama

P11

28. P11 adalah pekerja syarikat yang dikawal oleh defendan pertama dan hak P11 untuk saham sebanyak 100,000 telah diakui oleh defendan pertama melalui surat bertarikh 14/9/2009 yang dikeluarkan oleh Petra Group dan ditandatangani oleh seorang Riccardo Rovati yang merupakan peguam *(legal counsel)* Petra Group tersebut.

29. Defendan pertama menyatakan kepada P11 bahawa 100,000 saham P11 akan bernilai GBP(£) 100,000.00.

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P12

30. Seperti dalam kes P11, P12 juga merupakan pekerja syarikat yang dikawal oleh defendan pertama dan hak P12 untuk saham bernilai GBP(£) 400,000.00 yang telah diakui oleh defendan pertama melalui surat bertarikh 12/2/2010 yang dikeluarkan oleh satu Green Rubber dan ditandatangani oleh defendan pertama.

Penemuan Penipuan

31. Defendan pertama gagal untuk mengemas kini plaintif-plaintif tentang status pelaburan masing-masing atau hak mereka kepada saham, mengikut mana-mana yang berkenaan, walaupun terdapat beberapa permintaan oleh plaintif-plaintif untuk berbuat demikian.

32. Defendan pertama juga terus menggunakan dakwaan masalah kesihatannya sebagai alasan untuk mengalihkan soalan-soalan daripada plaintif-plaintif.

33. Plaintif-plaintif, melalui sumber media, menyedari dakwaan berikut terhadap defendan pertama:

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i. Pada 2022, Suruhanjaya Pencegahan Rasuah Malaysia (SPRM) *(Malaysian Anti-Corruption Commission (MACC))* telah menyerbu pejabat yang dikaitkan dengan defendan pertama untuk memulakan penyiasatan berhubung pengubahan wang haram *(money laundering)* dan pelarian cukai *(tax evasion)*.

ii. Semasa pandemik Covid-19, defendan pertama telah menjual ventilator –ventilator kepada Hungary pada harga yang berlebihan.

iii. Defendan pertama telah membuat janji yang tidak ditetapi *(unfulfilled pledge)* sebanyak GBP(£) 8 juta kepada Universiti St Andrews di Scotland.

iv. Defendan pertama juga telah memperoleh pelaburan daripada seorang John Slattery yang tidak pernah dibayar balik.

34. Perkara-perkara yang diplid dalam perenggan 33 di sini adalah butir-butir terbaik yang tersedia kepada plaintif-plaintif pada masa ini. Plaintif-plaintif berhak untuk memberikan butiran lanjut dan lebih baik *(further and better particulars)* apabila ia tersedia.

S/N 2v4rDLLMEkq6vjlP4nr7Zw
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35. Pada ketika ini (2021 hingga 2022), setelah mempertimbangkan semua laporan-laporan media dan jawapan yang meragukan *(dubious responses)* daripada defendan pertama, plaintif-plaintif menyedari bahawa mereka adalah mangsa penipuan yang dilakukan oleh defendan pertama.

36. Plaintif-plaintif seterusnya menyedari bahawa defendan pertama tidak berniat untuk memulangkan sebarang wang kepada plaintif-plaintif.

Notis Sebelum Tindakan *(Notice Prior To Action)*

37. Melalui surat bertarikh 10/3/2023, plaintif-plaintif melalui peguamcara mereka, Tetuan Goh Wong Pereira, menuntut jumlah yang disebut dalam perenggan-perenggan 18 hingga 30 di sini.

38. Defendan pertama melalui peguamcaranya, Tetuan Shahrizat Rashid & Lee, dan melalui surat bertarikh 17/3/2023, membalas peguamcara plaintif-plaintif dan menafikan tuntutan plaintif-plaintif, sekali gus menambahkan kepercayaan plaintif-plaintif bahawa defendan pertama, pada setiap masa material, berniat untuk menipu *(defraud)* plaintif-plaintif.

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Tuntutan Plaintif-Plaintif Terhadap Defendan Ke-2

39. Plaintif-plaintif memplid bahawa, pada setiap masa yang material, defendan ke-2 telah bersubahat dengan *(conspired with)* defendan pertama untuk melakukan penipuan, pelanggaran kontrak dan misrepresentasi terhadap plaintif-plaintif.

Butir-butir Penipuan

i. Membenarkan akaun bank PEMSB digunakan untuk menerima dana daripada plaintif-plaintif.

ii. Pada setiap masa yang material, defendan ke-2 akan mengetahui bahawa akaun bank PEMSB digunakan untuk memudahkan penipuan *(facilitate a fraud)* terhadap plaintif-plaintif.

iii. PEMSB tersebut hanyalah kenderaan untuk mendapatkan dana daripada pelabur-pelabur yang tidak curiga *(unsuspecting investors)*, dan berkemungkinan besar tidak menjalankan sebarang perniagaan yang sah.

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Relif

40. Amaun yang perlu dibayar dan terhutang oleh defendan pertama dan defendan ke-2 kepada plaintif-plaintif dengan faedah pada kadar 5% yang dikira dari tarikh pembayaran atau tarikh pengakuan sehingga 10/3/2023 adalah seperti berikut:

	Plaintif-Plaintif	**Amaun yang dibayar**	**Tarikh pembayaran/ Tarikh pengakuan**	**Faedah**	**Jumlah**
i.	P1	GBP(£) 65,000.00	10/10/2005	GBP(£) 56,630.14	GBP(£) 121,630.14
		GBP(£) 35,000.00	9/12/2005	GBP(£) 30,205.48	GBP(£) 65,205.48
ii.	P2	GBP(£) 300,000.00	8/1/2003	GBP(£) 302,712.33	GBP(£) 602,712.33
iii.	P3	GBP(£) 300,000.00	12/2/2008	GBP(£) 226,232.88	GBP(£) 526,232.88
iv.	P4	US$ 250,000.00	3/6/2002	US$ 259,760.27	US$ 509,760.27
v.	P5	GBP(£) 50,000.00	28/1/2008	GBP(£) 37,808.22	GBP(£) 87,808.22

S/N 2v4rDLLMEkq6vjlP4nr7Zw
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vi.	P6	GBP(£) 65,000.00	12/9/2017	GBP(£) 17,852.74	GBP(£) 82,852.74
vii.	P7	US$ 1,200,000.00	27/7/2007	US$ 937,808.22	US$ 2,137,808.22
viii.	P8				
ix.	P9	GBP(£) 124,000.00	6/12/2006	GBP(£) 100,864.66	GBP(£) 224,864.66
		US$ 30,000.00	6/12/2006	US$ 24,402.74	US$ 54,402.74
x.	P10	US$ 200,000.00	6/3/2009	US$ 140,191.78	US$ 340,191.78
xi.	P11	GBP(£) 100,000.00	14/9/2009	GBP(£) 67,465.75	GBP(£) 167,465.75
xii.	P12	GBP(£) 400,000.00	12/2/2010	GBP(£) 261,589.04	GBP(£) 661,589.04

41. Oleh yang demikian, plaintif-plaintif menuntut terhadap defendan pertama dan defendan ke-2 secara bersama dan berasingan untuk jumlah berikut (atau yang setara dalam Ringgit Malaysia) tertunggak pada 10/3/2023:

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i. Berkenaan dengan P1, penghakiman untuk jumlah GBP(£) 186,835.62;

ii. Berkenaan dengan P2, penghakiman untuk jumlah GBP(£) 602,712.33;

iii. Berkenaan dengan P3, penghakiman untuk jumlah GBP(£) 526,232.88;

iv. Berkenaan dengan P4, penghakiman untuk jumlah US$ 509,760.27;

v. Berkenaan dengan P5, penghakiman untuk jumlah GBP(£) 87,808.22;

vi. Berkenaan dengan P6, penghakiman untuk jumlah GBP(£) 82,852.74;

vii. Berkenaan dengan P7 dan P8, penghakiman untuk jumlah US$ 2,137,808.22;

viii. Berkenaan dengan P9, penghakiman untuk jumlah GBP(£) 224,864.66 dan US$ 54,402.74;

ix. Berkenaan dengan P10, penghakiman untuk jumlah US$ 340,191.78;

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x. Berkenaan dengan P11, penghakiman untuk jumlah GBP(£) 167,465.75;

xi. Berkenaan dengan P12, penghakiman untuk jumlah GBP(£) 661,589.04;

xii. Secara alternatif, gantirugi;

xiii. Faedah pada kadar 5% setahun bagi sebarang penghakiman dari 11/3/2023 sehingga penyelesaian penuh;

xiv. Kos;

xv. Pihak-pihak mempunyai kebebasan untuk memohon; dan

xvi. Relif-relif selanjutnya dan / atau lain-lain relif yang Mahkamah yang Mulia ini anggap sesuai dan patut.

Bertarikh pada 31 haribulan Mei 2023

.....
Tetuan Goh Wong Pereira
Peguamcara bagi plaintif-plaintif

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Pernyataan Tuntutan ini difailkan oleh Tetuan Goh Wong Pereira, peguamcara bagi plaintif-plaintif yang mempunyai alamat penyampaian di 8 Chancery, No. 8, Jalan Tualang, Taman Bukit Bandaraya, Bangsar, 59100 Kuala Lumpur.

Rujukan: 2081 9803 Tel: 2201 7111 Faks: 2201 8111

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LAMPIRAN A

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LAMPIRAN A

No.	Nama	No. Paspot	Alamat
1.	Arthur J. Mirante II	No. Paspot USA: 552357147	530 East 76th Street, Apartment 8D, 10021, New York
2.	Ronald Barrie Clapham	No. Paspot UK: 556764826	22 Boston, Midtown, Gibraltar, GX11 1AA, United Kingdom
3.	Charles Robert Henry Stone (Pelaksana harta pusaka Michael John Christopher Stone, si mati)	No. Paspot UK: 139848497	11 Ormonde Gate, Chelsea, London, SW3 4EU, United Kingdom
4.	Graham David Bell	No. Paspot UK: 554173108	Villa 22, Four Seasons Compound, 1B Street, Al Safa 1, Dubai, United Arab Emirates
5.	Paul Sallis Benney	No. Paspot UK: 576550078	Southview Halesworth Road, Walpole, IP199AZ, United Kingdom
6.	Paul Nicholas Smith	No. Paspot UK: 517997217	56, Bonchurch Road, W10 5LH, London, United Kingdom
7.	Octavio Augusto Vallarino Arias	No. Pasport Panama: PA0594477	Edificiop Plaza Banco General PISO 30 Panama, Panama
8.	Simon Hafeitz Homsany	No. Pasport Panama: PA0777526	Edificiop Plaza Banco General PISO 30 Panama, Panama

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9.	Talbott Gerard Young	No. Paspot USA: 567400416	138 Grand Stand Blud, Gallatin, TN. 37066, United States
10.	Uri Fruchtmann	No. Paspot Jerman: C4JTY58T0	1311 W Clark Ave, Burbank CA 91506, United States
11.	Andrew Murray-Watson	No. Paspot UK: 124401991	Strete House, Whimple, Exeter, EX5 2PL, United Kingdom
12.	April Srivikorn	No. Paspot USA: 567869365	7/131 S. Sathorn Road, Yannawa, Sathorn, Bangkok 10120, Thailand

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Terjemahan

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IN THE HIGH COURT OF MALAYA AT KUALA LUMPUR
IN THE FEDERAL TERRITORY OF MALAYSIA
CIVIL SUIT NO: _____

Between

1. Arthur J. Mirante II
   [USA Passport No: 552357147]

2. Ronald Barrie Clapham
   [UK Passport No: 556764826]

3. Charles Robert Henry Stone
   [UK Passport No. 139848497]
   (Executor of the estate of Michael John Christopher Stone, deceased, UK Passport No: 720104039)

4. Graham David Bell
   [UK Passport No: 554173108]

5. Paul Sallis Benney
   [UK Passport No: 576550078]

6. Paul Nicholas Smith
   [UK Passport No: 517997217]

7. Octavio Augusto Vallarino Arias
   [Panama Passport No: PA0594477]

8. Simon Hafeitz Homsany
   [Panama Passport No: PA0777526]

9. Talbott Gerard Young
   [USA Passport No. 567400416]

10. Uri Fruchtmann
    [Germany Passport No: C4JTY58T0]

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11. Andrew Murray-Watson
[UK Passport No: 124401991]

12. April Srivikorn
[USA Passport No: 567869365]

...Plaintiffs

And

1. Vinod Balachandra Sekhar a/l Tan Sri B C Sekhar
[Malaysian NRIC No: 680806-10-5891]

2. Winy Yeap Liew Heoh
[Malaysian NRIC No: 680817-08-5478]

...Defendants

Statement of Claim

The Parties

1. The plaintiffs are various individuals whose details are annexed to this statement of claim and marked as "Annexure A". For ease of reference, the 1st to the 10th plaintiffs will be referred to as **"P1 to P10"** whilst the 11th and 12th plaintiffs will be referred to as **"P11 and P12"**.

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2. The 1st defendant is a citizen of Malaysia with an address at No. 15, Jalan Nusa, Bukit Tunku, 50480 Kuala Lumpur, Wilayah Persekutuan Kuala Lumpur. The 1st defendant was adjudicated a bankrupt on or about 8/6/2005. The 1st defendant is purportedly no longer a bankrupt.

3. The 2nd defendant is a citizen of Malaysia with an address at No. 15, Jalan Nusa, Bukit Tunku, 50480 Kuala Lumpur, Wilayah Persekutuan Kuala Lumpur. The 2nd defendant is the wife of the 1st defendant.

4. Petra Equities Management Sdn Bhd (PEMSB) is a company incorporated in Malaysia with its registered address at U. B3-10, Blk B, Plaza Dwitasik, 21, Jalan 5/106, Bdr Sri Permaisuri, 56000, Kuala Lumpur Wilayah Persekutuan.

5. The directors of the said PEMSB are as follows:

   i. Tengku Muinuddin Putra; and

   ii. The 2nd defendant.

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6. The shareholders of PEMSB are as follows:

   i. Petra Equities Sdn Bhd with a total of 960,000 shares;

   ii. Zulkurnain Bin Ahmad with a total of 20,000 shares; and

   iii. Zainizam Bin Azmi with a total of 20,000 shares.

7. Petra Equities Sdn Bhd (PESB) is a company incorporated in Malaysia with its registered address at Level 8, Menara Milenium, No.8, Jalan Damanlela, Bukit Damansara, 50490, Kuala Lumpur Wilayah Persekutuan.

8. The directors of the said PESB are as follows:

   i. The 1st defendant; and

   ii. Y.A.M. Tan Sri Tunku Imran Ibni Tuanku Ja'afar.

9. The shareholders of PESB are as follows:

   i. The 1st defendant with a total of 7,500,000 shares; and

   ii. Y.A.M. Tan Sri Tunku Imran Ibni Tuanku Ja'afar with a total of 7,500,000 shares.

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The Plaintiffs' Claim Against the 1st Defendant

10. The plaintiffs' claim against the 1st defendant is premised on fraud, misrepresentation, breach of contract, monies had and received, and on an acknowledgment of debt, as the case may be.

11. The plaintiffs plead that the facts as stated hereinafter are the basis of one or more of the causes of action as pleaded in paragraph 10 herein.

12. Between 2002 and 2017, the 1st defendant had persuaded the plaintiffs to invest their monies with the 1st defendant, or with various companies related to the 1st defendant, including PEMSB.

13. During discussions between the plaintiffs and the 1st defendant, the 1st defendant essentially represented to the plaintiffs that he was a prominent figure within the corporate and business community in Malaysia. The 1st defendant further represented to the plaintiffs that his father, Tan Sri B. C. Sekhar, was a prominent figure in the rubber industry.

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14. The 1st defendant never disclosed that he was a bankrupt to any of the plaintiffs either at the time the plaintiffs forwarded funds to the 1st defendant or at any material time thereafter. In fact, when P11 specifically queried the 1st defendant on his bankruptcy via an email dated 30/9/2010, the 1st defendant brushed it off, and appeared to suggest that one "Anwar" would attend to the matter.

15. During the period of the 1st defendant's bankruptcy, the Director General of Insolvency handled the 1st defendant's legal matters and made dividend payments to the 1st defendant's creditors.

16. In another email from the 1st defendant to P2 dated 3/10/2008, the 1st defendant stated that he was aligned to "Anwar".

17. The plaintiffs believe that the "Anwar" referred to in paragraphs 14 and 16 herein, are in reference to the present Prime Minister of Malaysia, Dato' Seri Anwar bin Ibrahim.

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Particulars Relating to P1 to P10's Claims Against The 1st Defendant

P1

18. Upon the 1st defendant's request, P1 transferred a total amount of GBP(£) 100,000.00 to the 1st defendant. The first payment of GBP(£) 65,000.00 was transferred by P1 to the 1st defendant on or about 10/10/2005 and the same was acknowledged by the 1st defendant via a letter dated 10/10/2005 issued by the Petra Group. The second payment of GBP(£) 35,000.00 was transferred by P1 to PEMSB, at the request of the 1st defendant, on or about 9/12/2005.

P2

19. Upon the 1st defendant's request, P2 transferred the sum of GBP(£) 300,000.00 to PEMSB, on or about 8/1/2003. The said sum was acknowledged by the 1st defendant on or about 6/12/2006.

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P3

20. P3 is the executor of the estate of Mr Michael John Christopher Stone (hereinafter referred to as the **"deceased"**). Upon the 1st defendant's request, the deceased transferred the sum of GBP(£) 300,000.00 to PEMSB on or about 12/2/2008.

P4

21. Upon the 1st defendant's request, P4 transferred the sum of US$ 250,000.00 to the 1st defendant on or about 3/6/2002. The receipt of the said fund was acknowledged by the 1st defendant via a letter dated 3/6/2002 issued by one Petra Group to P4 and signed by the 1st defendant.

P5

22. Upon the 1st defendant's request, P5 transferred the sum of GBP(£) 50,000.00 to the 1st defendant for the purchase of shares in one Elastomer (Green Rubber) on or about 28/1/2008. The receipt of the said fund was acknowledged by the 1st defendant via an email dated 28/1/2008 between the 1st defendant and P5.

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P6

23. Upon the 1st defendant's request, P6 transferred the sum of GBP(£) 65,000.00 to one Dennis Nik & Wong, Advocates and Solicitors, on or about 12/9/2017. The receipt of the funds from P6 to the 1st defendant was acknowledged by the 1st defendant via a WhatsApp message from the 1st defendant to P6 on or about 6/7/2018.

24. On or about 4/8/2020, the 1st defendant via an email informed P6 that there had been a delay in the returns of investment (ROI) due to the Covid-19 pandemic.

P7 and P8

25. Upon the 1st defendant's request, P7 and P8 transferred the sum of US$ 1,200,000.00 to PEMSB on or about 27/7/2007. The receipt of the said fund was acknowledged by the 1st defendant via an email dated 27/7/2007 from the 1st defendant to P7.

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P9

26. Upon the 1st defendant's request, P9 transferred the sum of GBP(£) 124,000.00 and US$ 30,000.00 or thereabout to the 1st defendant in 2006. The first payment was for the sum of GBP(£) 124,000.00 and the same was acknowledged by the 1st defendant on or about 6/12/2006. The second payment was for the amount of US$ 30,000.00 where the 1st defendant had requested P9 to pay through his credit card for an event hosted by the 1st defendant in Langkawi, Malaysia. The 1st defendant promised to repay the said sum of US$ 30,000.00 to P9 through shares.

P10

27. Upon the 1st defendant's request, P10 transferred the sum of US$ 200,000.00 or thereabout to the 1st defendant on or about 6/3/2009.

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Particulars Relating to P11 and P12's Claims Against the 1st Defendant

P11

28. P11 was an employee of a company controlled by the 1st defendant and P11's entitlement to shares of 100,000 was acknowledged by the 1st defendant via a letter dated 14/9/2009 issued by the Petra Group and signed by one Riccardo Rovati who appeared to be the legal counsel of the said Petra Group.

29. The 1st defendant represented to P11 that P11's shares of 100,000 would be valued at GBP(£) 100,000.00.

P12

30. As in the case of P11, P12 was also an employee of company controlled by the 1st defendant and P12's entitlement to shares valued at GBP(£) 400,000.00 was acknowledged by the 1st defendant via a letter dated 12/2/2010 issued by one Green Rubber and signed by the 1st defendant.

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Discovery Of Fraud

31. The 1st defendant failed to update the plaintiffs on the status of their respective investments or their entitlements to shares, as the case may be, despite various requests by the plaintiffs to do so.

32. The 1st defendant further continuously used his purported health problems as an excuse to deflect enquiries by the plaintiffs.

33. The plaintiffs, through media sources, came to realise the following allegations against the 1st defendant:

    i. In 2022, the Malaysian Anti-Corruption Commission (MACC) had raided offices linked to the 1st defendant to start investigations in relation to money laundering and tax evasion.

    ii. During the Covid-19 pandemic, the 1st defendant had sold ventilators to Hungary at excessive prices.

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iii. The 1st defendant had made an unfulfilled pledge of GBP(£) 8 million to the University of St Andrews in Scotland.

iv. The 1st defendant had also procured an investment from one John Slattery which was never repaid.

34. The matters pleaded in paragraph 33 herein are the best particulars available to the plaintiffs at the moment. The plaintiffs reserve their rights to furnish further and better particulars as and when the same become available.

35. At this juncture (2021 to 2022), having considered all the media reports and the dubious responses from the 1st defendant, the plaintiffs realised that they were victims of a fraud perpetrated by the 1st defendant.

36. The plaintiffs further realised that the 1st defendant had no intention of returning any monies to the plaintiffs.

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Notice Prior To Action

37. By a letter dated 10/3/2023, the plaintiffs through their solicitors, Messrs Goh Wong Pereira, demanded the sums referred to in paragraphs 18 to 30 herein.

38. The 1st defendant through his solicitors, Messrs Shahrizat Rashid & Lee, and by a letter dated 17/3/2023, responded to the plaintiffs' solicitors denying the plaintiffs' claim, thus compounding the plaintiffs' belief that the 1st defendant had, at all material times, intended to defraud the plaintiffs.

The Plaintiffs' Claim Against the 2nd Defendant

39. The plaintiffs plead that, at all material times, the 2nd defendant had conspired with the 1st defendant to perpetrate a fraud, breach of contract and misrepresentation against the plaintiffs.

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Particulars of Fraud

i. Allowing the bank account of PEMSB to be used to receive funds from the plaintiffs.

ii. At all material times, the 2nd defendant would have known that the bank account of PEMSB was being used to facilitate a fraud against the plaintiffs.

iii. The said PEMSB was merely vehicles to procure funds from unsuspecting investors, and in all probability did not carry out any legitimate business.

Relief

40. The amount due and owing by the 1st and 2nd defendants to the plaintiffs with interest at the rate of 5% calculated from the date of payment or the date of acknowledgment until 10/3/2023 are as follows:

S/N 2v4rDLLMEkq6vjlP4nr7Zw
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	Plaintiffs	Amount paid	Date of payment/ Date of acknowledgment	Interest	Total
i.	P1	GBP(£) 65,000.00	10/10/2005	GBP(£) 56,630.14	GBP(£) 121,630.14
		GBP(£) 35,000.00	9/12/2005	GBP(£) 30,205.48	GBP(£) 65,205.48
ii.	P2	GBP(£) 300,000.00	8/1/2003	GBP(£) 302,712.33	GBP(£) 602,712.33
iii.	P3	GBP(£) 300,000.00	12/2/2008	GBP(£) 226,232.88	GBP(£) 526,232.88
iv.	P4	US$ 250,000.00	3/6/2002	US$ 259,760.27	US$ 509,760.27
v.	P5	GBP(£) 50,000.00	28/1/2008	GBP(£) 37,808.22	GBP(£) 87,808.22
vi.	P6	GBP(£) 65,000.00	12/9/2017	GBP(£) 17,852.74	GBP(£) 82,852.74
vii.	P7	US$ 1,200,000.00	27/7/2007	US$ 937,808.22	US$ 2,137,808.22
viii.	P8				
ix.	P9	GBP(£) 124,000.00	6/12/2006	GBP(£) 100,864.66	GBP(£) 224,864.66
		US$ 30,000.00	6/12/2006	US$ 24,402.74	US$ 54,402.74

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x.	P10	US$ 200,000.00	6/3/2009	US$ 140,191.78	US$ 340,191.78
xi.	P11	GBP(£) 100,000.00	14/9/2009	GBP(£) 67,465.75	GBP(£) 167,465.75
xii.	P12	GBP(£) 400,000.00	12/2/2010	GBP(£) 261,589.04	GBP(£) 661,589.04

41. Wherefore, the plaintiffs claim against the 1st and 2nd defendants jointly and severally for the following sums (or its equivalent in Ringgit Malaysia), outstanding as at 10/3/2023:

i. In respect of P1, judgment for the sum of GBP(£) 186,835.62;

ii. In respect of P2, judgment for the sum of GBP(£) 602,712.33;

iii. In respect of P3, judgment for the sum of GBP(£) 526,232.88;

iv. In respect of P4, judgment for the sum of US$ 509,760.27;

v. In respect of P5, judgment for the sum of GBP(£) 87,808.22;

S/N 2v4rDLLMEkq6vjlP4nr7Zw
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vi. In respect of P6, judgment for the sum of GBP(£) 82,852.74;

vii. In respect of P7 and P8, judgment for the sum of US$ 2,137,808.22;

viii. In respect of P9, judgment for the sum of GBP(£) 224,864.66 and US$ 54,402.74;

ix. In respect of P10, judgment for the sum of US$ 340,191.78;

x. In respect of P11, judgment for the sum of GBP(£) 167,465.75;

xi. In respect of P12, judgment for the sum of GBP(£) 661,589.04;

xii. Alternatively, damages;

xiii. Interest on any judgment sum at the rate of 5% per annum from 11/3/2023 until full settlement;

xiv. Costs;

S/N 2v4rDLLMEkq6vjlP4nr7Zw
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xv. Parties be at liberty to apply; and

xvi. Such further and / or other relief as this Honourable Court deems fit.

Dated this 31st day of May 2023

.....
Messrs Goh Wong Pereira
Solicitors for the plaintiffs

This **Statement of Claim** is filed by Messrs Goh Wong Pereira, solicitors for the plaintiffs with an address for service at 8 Chancery, No. 8 Jalan Tualang, Taman Bukit Bandaraya, Bangsar, 59100, Kuala Lumpur.

Reference: 2081 9803 Tel: 2201 7111 Fax: 2201 8111

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ANNEXURE A

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ANNEXURE A

No.	Name	Passport No.	Address
1.	Arthur J. Mirante II	USA Passport No: 552357147	530 East 76th Street, Apartment 8D, 10021, New York
2.	Ronald Barrie Clapham	UK Passport No. 556764826	22 Boston, Midtown, Gibraltar, GX11 1AA, United Kingdom
3.	Charles Robert Henry Stone (Executor of the estate of Michael John Christopher Stone, deceased)	UK Passport No. 139848497	11 Ormonde Gate, Chelsea, London, SW3 4EU, United Kingdom
4.	Graham David Bell	UK Passport No: 554173108	Villa 22, Four Seasons Compound, 1B Street, Al Safa 1, Dubai, United Arab Emirates
5.	Paul Sallis Benney	UK Passport No: 576550078	Southview Halesworth Road, Walpole, IP199AZ, United Kingdom
6.	Paul Nicholas Smith	UK Passport No: 517997217	56, Bonchurch Road, W10 5LH, London, United Kingdom
7.	Octavio Augusto Vallarino Arias	Panama Passport No: PA0594477	Edificiop Plaza Banco General PISO 30 Panama, Panama
8.	Simon Hafeitz Homsany	Panama Passport No: PA0777526	Edificiop Plaza Banco General PISO 30 Panama, Panama
9.	Talbott Gerard Young	USA Passport No. 567400416	138 Grand Stand Blud, Gallatin, TN. 37066, United States

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10.	Uri Fruchtmann	Germany Passport No: C4JTY58T0	1311 W Clark Ave, Burbank CA 91506, United States
11.	Andrew Murray-Watson	UK Passport No: 124401991	Strete House, Whimple, Exeter, EX5 2PL, United Kingdom
12.	April Srivikorn	USA Passport No: 567869365	7/131 S. Sathorn Road, Yannawa, Sathorn, Bangkok 10120, Thailand

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