

Summary of Ian Cullen's Court Experience

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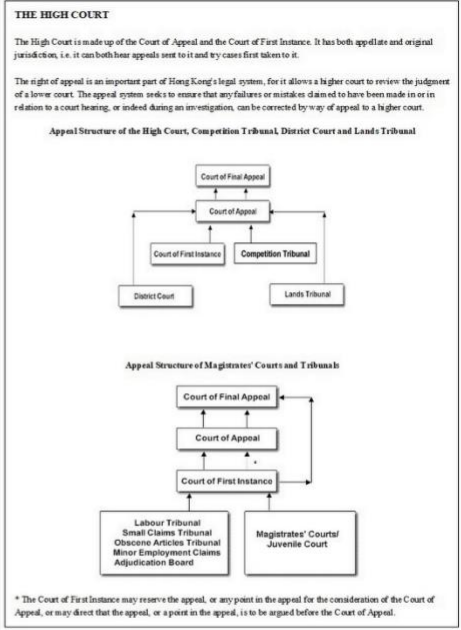
高練賢
測計師行
皇家特許測量師

Our Ref : IC/HK/V 688-5

Re : High Court Action No. 1589 of 2003

SUPPLEMENTAL REPORT

Re : The Complete Basement Premises,
No. 28 Marble Road,
North Point,
Hong Kong.
("The Subject Premises")



Ian Cullen's Court Experience as Expert Witness as a Surveyor/Valuer		
Case No. (Year Heard)	Parties	Subject Matter of Evidence Provided
HCA 1584/2012 (2020)	YU MAN FUNG ALICE V CHIAU SING CHI STEPHEN	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer instructed by Plaintiff's solicitors. - Completion of multiple detailed reports, and valuations, on luxury residence at No. 12 Pollock's Path, The Peak, at valuation dates over 5 years. Valuations to totally c. HK\$5 billion. - All evidence and valuations accepted, unchallenged, by Defendant's legal advisors, despite them filing another valuer's report making notably lower assessments.
HCA 2449/2013 and HCA 371/2014 (2019)	GOLDBAY FORTIS LTD v. RICH RESOURCE DEVELOPMENT LTD	<ul style="list-style-type: none"> - Expert Surveyor/Valuer instructed by Plaintiff's solicitors, involving two large premises under Memorandum of Intended Sale. - First property valuations of a 5 level retail mall connected to MTR. The break up sales evidence approach, and all valuations, wholly accepted by the court. - Second property interest valuations for a 49% share in company owning 8 level car park complex above the MTR and mall. The Court also accepted investment valuation approach, the company account's analysis, and comparables weighting. - Valuations utilized to arrive at c. \$164 million of damages awarded to Plaintiff.
HCA 1739/2010 (2016)	YANG FOO-OI (by LEUNG PING CHIU, ROY) v. WAI WAI CHEN and TIMFORD RESOURCES LIMITED	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer instructed by Plaintiff's solicitors. - 6 years processing of over 100 valuations within 21 detailed reports, on properties throughout Hong Kong, at 5 valuation dates, to total exceeding HK\$40 billion. - Also advising the court on valuation approach for investment holdings, plus quantum adjustments. - Evidence and valuations accepted, and over \$8 billion of damages awarded to Plaintiff.
British Columbia Court Action No. E113541 (2015)	PICHE v CHIU	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer attending Canadian court to advise upon : <ul style="list-style-type: none"> (1) unauthorized building work in HK; (2) market value of luxury residence in Clearwater Bay, and : (3) financial benefits of property sale by share transfer in registered owner company.

Ian Cullen's Court Experience as Expert Witness as a Surveyor/Valuer		
Case No. (Year Heard)	Parties	Subject Matter of Evidence Provided
HCA 1589/2003 (Hearing and Judgment in 2009)	ZHUANG PP HOLDINGS LTD. formerly known as CHINA UNITED HOLDINGS LTD. AND OTHERS v. LAM HOW MUN PETER AND OTHERS	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer instructed by Plaintiff's solicitors. - Multiple reports and valuations prepared over 6 years of processing, for large new retail basement linked to North Point MTR Station; - Reports and evidence covered : <ul style="list-style-type: none"> (1) Methods of Assessment; (2) Relevant Comparables, evidence weighting, and : (3) A valuer's role and duties in preparing valuation reports. - Court accepted Ian Cullen's approach, and evidence, for valuations, over those of 3 surveyors instructed by defendants, and awarded over \$250 million of compensation arising from a negligent valuation.
DCCJ 1083/2006	CHEUNG WAI LEUNG AND ANOTHER v. KUNG NGAI CHEUNG	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Valuations relating to damages for breach of contract
DCCJ 4201/2005	CENTALINE PROPERTY AGENCY LTD. v. TONEGAWA YOSHINOBU AND ANOTHER	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Valuation of domestic property
LDNT 163/2004	STEPHEN PETER STUART WEATHERSEED v. MIGHTY UNIT CO. LTD.	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Valuation of domestic tenancy market rental
HCA 3725/2001	HONG KONG SHUI FUNG (HOLDINGS) LTD. v. TOP TALENT DEVELOPMENT LTD.	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Valuations related to compensation due to illegal extensions built, and not disclosed to purchaser.
HCA 1926/2001	KUNG MING TAK TONG CO LTD v. PARK SOLID ENTERPRISES LTD AND ANOTHER	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Valuations of retail arcade premises for compensation/losses

Ian Cullen's Court Experience as Expert Witness as a Surveyor/Valuer		
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HCA 1736/2000	MOK LAI KUEN AND ANOTHER v. WILL RISE LTD.	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Value of flooded domestic premises
LDNT 298/2000	NOBLE RESOURCES LTD. v. GOLDEN CODE DEVELOPMENT LTD.	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Domestic premises market rental
LDNT 48/2000	STRAWBERRY HILL DEVELOPMENT LTD. v. BANK AUSTRIA CREDITANSTALT INTERNATIONAL AG	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Domestic tenancy market rental
LDNT 43/2000	ABDOOLALLY EBRAHIM & CO. (H.K.) LTD. v. FORMALEX LTD.	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Landlord and tenant
HCAL 148/1999	KAISILK DEVELOPMENT LTD. v. SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Compensation for urban development land site
HCA 15803/1998	FEERNI DEVELOPMENT LTD. v. DANIEL WONG & PARTNERS (a firm)	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Retail Premises : Defective Title
HCA 12235/1998	LEUNG YUNG CHUN AND ANOTHER v. CHAN WING SANG AND OTHERS	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Water Leakage to Domestic Premises
HCA 6481/1998	CHONG PING v. HUNG LING YUEN LAWRENCE	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Development Control/Excessive Height of Structure

Ian Cullen's Court Experience as Expert Witness as a Surveyor/Valuer		
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HCPI 1066/1998	CHAN YUK v. DRAGAGES ET TRAVAUX PUBLICS (H.K.) LTD. AND OTHERS	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Personal Injury Compensation/ Re-housing
HCMP 3739/1997	SPARK RICH (CHINA) LTD. v. VALROSE LTD.	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Sale of Property with Unauthorized Structures
HCPI 1828/1997	LILY TSE LAI YIN AND OTHERS v. THE INCORPORATED OWNERS OF ALBERT HOUSE AND OTHERS	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Personal Injury Compensation/Re-housing
LDNT 614/1997	BOOZ ALLEN HAMILTON (HK) LTD. v. SKYHORSE LTD.	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Domestic Premises Defects and Market Rental
HCCL 66/1997	FILA MARKETING (HONG KONG) LTD. v. FAITHFUL PROPERTIES CO. LTD. AND OTHERS	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Breach of Contract; Prime Retail Premises Valuation - Ian Cullen's valuation approach accepted by the court.
HCPI 1013/1995	NG KWOK WING v. LAU PING KWAN AND OTHERS	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Personal Injury Compensation/Re-housing
HCPI 496/1995	TA XUONG v. THE INCORPORATED OWNERS OF SUN HING BUILDING	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Personal injury compensation

Ian Cullen's Court Experience as Expert Witness as a Surveyor/Valuer		
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LDNT 2589/1994	BAYER CHINA CO. LTD. v. MID-LEVELS PORTFOLIO (BRANKSOME) LTD.	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Domestic tenancy rental and variation of lease terms
HCA 4568/1987	CHAN CHEUNG HING v. CHAN TANG LAN AND OTHERS	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Retail and domestic premises values
HCA 11492/1983	LAM YUK FUNG AND ANOTHER v. ATTORNEY GENERAL AND ANOTHER	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Compensation due to refuse collection centre by property
LDMT 3/1982	HUI SUI SAM AND ANOTHER v. DIRECTOR OF PUBLIC WORKS	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Compensation for loss of development value (MTR route protection)
LDLR 1/1981	SECRETARY FOR THE NEW TERRITORIES v. LEE PUI LEUNG	<ul style="list-style-type: none"> - Role as Expert Surveyor/Valuer. - Compensation for resumption retail premises valuation : <ul style="list-style-type: none"> - Pointe Gourde Principle - Shop zoning
Plus :	<u>Numerous Unreported Lands Tribunal Cases</u> A significant number of additional unreported cases in the Lands Tribunal, mostly involving assessment of market rental for domestic accommodation under Pt IV of Landlord & Tenant (Consolidation) Ordinance.	<ul style="list-style-type: none"> - Role as Surveyor/Valuer/Expert Witness in cases from 1986 - 2001.