

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N :

**ERNST & YOUNG INC.
in its capacity as Court Appointed Receiver
of HANFENG EVERGREEN INC.**

Plaintiff

-and-

YU XINDUO and LEI LI

Defendants

**DEMAND FOR PARTICULARS
(Alleged Misrepresentations)**

The Defendants, Yu Xinduo (“Yu”) and Lei Li (“Lei”), demand pursuant to Rule 25.10 of the *Rules of Civil Procedure*, that the Plaintiff supply, within seven days, the particulars of the following allegations made in the Statement of Claim:

Misrepresentations alleged with respect to the Defendant Lei

1. Paragraphs 7, 10, 13, 26, 29, and 46 of the Statement of Claim allege that Lei made misrepresentations to the Plaintiff. Lei demands particulars in respect of the material facts relied upon by the Plaintiff in relation to these allegations, including but not limited to, the following:
 - a) With respect to paragraphs 7, 13, 26, 29, and 46 of the Statement of Claim,
 - i. the substance and details of the representations which are alleged to have been made by Lei about the identity and corporate history of the Purchaser,
 - ii. what knowledge Lei had that these representations were false,
 - iii. who received these representations from Lei,
 - iv. how these representations were made, and,

- v. when Lei made these representations.
- b) With respect to paragraph 10, of the Statement of Claim,
 - i. what knowledge Lei had that these representations were false,
 - ii. who received these representations from Lei,
 - iii. how these representations were made, and,
 - iv. when Lei made these representations.
- c) With respect to paragraph 46 of the Statement of Claim,
 - i. the substance and details of the representations which are alleged to have been made by Lei about Yu's relationship with the Purchaser,
 - ii. what knowledge Lei had that these representations were false,
 - iii. who received these representations from Lei,
 - iv. how these representations were made, and,
 - v. when Lei made these representations.

Misrepresentations alleged with respect to the Defendant Yu

2. Paragraphs 7, 10, 13, 26, 29, and 45 of the Statement of Claim allege that Yu made misrepresentations to the Plaintiff. Yu demands particulars in respect of the material facts relied upon by the Plaintiff in relation to these allegations, including but not limited to, the following:

- a) With respect to paragraphs 7, 13, 26, 29, 44 and 45 of the Statement of Claim,
 - i. the substance and details of the representations which are alleged to have been made by Yu about the identity and corporate history of the Purchaser,
 - ii. what knowledge Yu had that these representations were false,
 - iii. who received these representations from Yu,
 - iv. how these representations were made, and,
 - v. when Yu made these representations.
- b) With respect to paragraphs 10 of the Statement of Claim,
 - i. what knowledge Yu had that these representations were false,
 - ii. who received these representations from Yu,

- iii. how these representations were made, and,
 - iv. when Yu made these representations.
- c) With respect to paragraph 45 of the Statement of Claim,
- i. the substance and details of the representations which are alleged to have been made by Yu about his relationship with the Purchaser,
 - ii. who received these representations from Yu,
 - iii. how these representations were made, and,
 - iv. when Yu made these representations.

May 11, 2016

**MOORE BARRISTERS
Professional Corporation**
393 University Avenue, Suite 1600
Toronto, ON M5G 1E6

David C. Moore (LSUC #16996U)
(416) 581-1818 ext. 222
david@bellmore.ca
Karen M. Mitchell (LSUC #23816G)
(416) 581-1818 ext. 223
kmmitchell@bellmore.ca
Fax: (416) 581-1279

Lawyers for the Defendants

TO **STIKEMAN ELLIOTT LLP**
Barristers & Solicitors
5300 Commerce Court West
199 Bay Street, Toronto ON M5L 1B9

Maria Konyukhova (LSUC #52880V)
(416) 869-5230
Mel Hogg (LSUC #48076E)
(416) 869-6826
Fax: (416) 360-2646

Lawyers for the Plaintiff

Ernst & Young Inc., in its capacity as Court Appointed Receiver
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- and -

Plaintiff

Yu Xinduo and Lei Li

Defendants

Court File No. CV16-11325-00CL

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Proceedings Commenced at Toronto

DEMAND FOR PARTICULARS

MOORE BARRISTERS
Professional Corporation
393 University Avenue, Suite 1600
Toronto, ON M5G 1E6

David C. Moore (LSUC #16996U)
(416) 581-1818 ext. 222
david@bellmore.ca

Karen M. Mitchell (LSUC #23816G)
(416) 581-1818 ext. 223
kmitchell@bellmore.ca
Fax: (416) 581-1279

Lawyers for the Defendants