

1MDB gets permission to serve writ of summons to 6 parties overseas

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Bernamea

1MDB today obtained permission from the High Court in Kuala Lumpur to serve its writ of summons against six parties, including two overseas banking firms.

Judicial Commissioner Quay Chew Soon allowed 1MDB's application for leave to serve the writ out of jurisdiction against them.

The parties are:

1. Banking companies Coutts & Co Ltd and
2. JP Morgan (Switzerland) Ltd
3. Companies incorporated in Saudi Arabia, namely Petrosaudi International Limited and
4. Petrosaudi Holdings (Cayman) Limited
5. Two individuals, namely Tarik Isam Ahmed Obaid (Tarik Obaid) of Saudi Arabia and

6. British citizen Patrick Andrew Marc Mahony (Patrick Mahony)

All the parties are the second to seventh defendants in the suit filed by 1MDB worth US\$1.83 billion (RM7.6 billion), among others for alleged breach of contract, negligence, and criminal conspiracy for the misappropriation of 1MDB funds.

The matter was confirmed by a counsel from Messrs Rosli Dahlan Saravana Partnership when contacted by Bernama today.

“Yes, we confirm that today was fixed for hearing of the plaintiff’s (1MDB’s) application for leave to serve the notice of writ out of jurisdiction against the foreign defendants.

“Upon hearing the submission of the plaintiff’s counsel, the court has granted us the order. The court also fixed Nov 8 for further case management,” said the counsel for 1MDB after the online proceedings.

The counsel added that, as of today, the first defendant, Deutsche Bank (Malaysia) Bhd, has been served with a writ of summons.

1MDB as the plaintiff filed the ex parte notice of application on Aug 27, to

simultaneously issue and serve the writ of summons for delivery outside the jurisdiction.

As the first Defendant, Deutsche Bank, is a local party, the Rules of Court allow the application to be made against the second to fifth defendants although they are outside Malaysia.

They are, among others, in Zurich and Geneva, Switzerland; Al Khobar in Saudi Arabia and Grand Cayman in the Cayman Islands, while the sixth defendant Tarik Obaid is a resident of Al-Khobar, Saudi Arabia, while seventh defendant Patrick Mohany is in London, Britain.

In the application, the plaintiff also sought permission to serve the writ of summons simultaneously to all the defendants, wherever they could be found.

On May 7, 1MDB filed the suit naming Deutsche Bank (Malaysia) Bhd, Coutts & Co, J.P. Morgan (Switzerland), Petrosaudi International, Petrosaudi Holdings (Cayman), Tarik Obaid, and Patrick Mahony as first to seventh defendants.

The plaintiff alleged that all the defendants were negligent, breached the contract, and conspired to defraud 1MDB to the point of causing losses to the company as well as damaging 1MDB's reputation and good name.

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