

Jatcorp (ASX: JAT), at the forefront of innovative technology servicing the world's largest retail markets. With a track record of successful product development and distinguished technology. JAT is a leading producer of supplementary food and plant-based products.



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Market Announcements Platform
ASX Limited

Sunnya litigation update – costs orders

Jatcorp Limited (ASX: JAT or the Company) refers to its previous announcements concerning the long-running Sunnya litigation between JAT and its subsidiary Sunnya Pty Ltd (“Sunnya”) on the one hand and its former directors Mr Yinghan He and Ms Yanxia Lu (“He and Lu”), their related persons (including Australia and Chinese companies and their daughter Ms Yaqing He), and Sunnya’s former New Zealand suppliers the Supermega group of companies controlled by Mr Easter Wu (“Wu Parties”).

The Supreme Court of NSW has recently published a costs judgement in the long running Sunnya litigation. In that judgement, the Court considered how the issue of legal costs is to be resolved in light of the 19 April 2024 main judgement in which the Court found largely for JAT and Sunnya as against He and Lu and Wu Parties.

In the Costs Judgement, the Court held that all but two defendants were liable to pay JAT and Sunnya’s costs of the liability part of the proceedings, subject to some adjustments. The costs awarded against the principle defendants, He and Lu and the Wu Parties were made on indemnity basis in light of the many false evidence findings made by the Court against those parties and their witnesses. Paragraph 18 of the judgement read:

“By their conduct described above, Mr He, Ms Lu, GABT, HLW and the NZ Parties unreasonably exposed the plaintiffs to the costs of the forensic exercise required to expose the fabrication of the documents and the falsity of the evidence to which I have referred above, including the costs of adducing extensive expert digital forensic evidence”

The cost orders were also to be “payable forthwith” which means the parties benefited by the costs awards can immediately proceed to assessment and recovery those costs. Given the complexity of the litigation to date and the amount of costs involved, that assessment process is expected to take a number of months.

JAT consider this Costs Judgement another successful milestone in this litigation, and will keep the market advised as to progress of these matters.

This announcement was authorised by JAT’s Board.

About Jatcorp Limited

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