

Plaintiff: Wong Chin Soon, Wilson: 1st

**IN THE SUBORDINATE COURTS OF THE
REPUBLIC OF SINGAPORE**

MC Suit No. 24750 of 2006/D

Between

XL RESULTS FOUNDATION PTE LTD
(RC No. 200107729C)

...Plaintiff

And

LINDA RUCK
(Australia Passport No. E7081714)

...Defendant

AFFIDAVIT

I, Wong Chin Soon, Wilson (NRIC No. S7733858/F), of care of 20 Raffles Place, #17-00 Ocean Towers, Singapore 048620, do make oath and say as follows:—

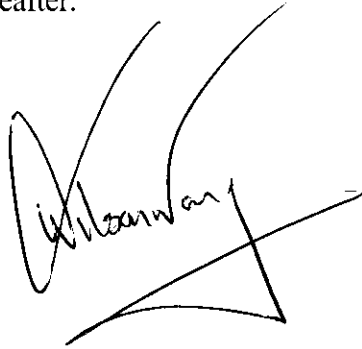
1. I am a Senior Associate in the employ of Drew & Napier LLC and the solicitor having conduct of this action on behalf of the Plaintiff.
2. Unless stated otherwise, the matters set out in this affidavit are within my personal knowledge and are true. Where the matters are not within my personal knowledge, they are true to the best of my information and belief.

3. This affidavit is made on behalf of the Plaintiff as the Plaintiff's representative is currently away in London and will only be back to Singapore in early August 2007. He is therefore unable to affirm the Affidavit in Reply ("Reply Affidavit") to the Defendant's Affidavit filed on 18 June 2007, before a Commissioner for Oaths. Our client's representative has had sight of the Reply Affidavit, confirms the contents therein, and has signed the last page of the Reply Affidavit. A copy of the signed Reply Affidavit is annexed hereto and marked as "WWCS-1".

4. Our client will affirm the original Reply Affidavit before a Commissioner for Oaths when he returns to Singapore, and we will take the necessary steps to have it filed in Court thereafter.

Sworn at Singapore this)

2nd day of July, 2007)



Before me,



This affidavit is filed on behalf of the Plaintiff.

THIS IS THE EXHIBIT MARKED " *WWCS-1* "
REFERRED TO IN THE AFFIDAVIT
OF *Weng Chun Soon Wilson*
SWORN/AFFIRMED THIS *2nd* DAY
OF *April* *July* 20 *07* .
BEFORE ME

A COMMISSIONER FOR OATHS



Plaintiff: Roger James Hamilton

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

MC Suit No. 24750 of 2006/D

Between

XL RESULTS FOUNDATION PTE LTD
(RC No. 200107729C)

... Plaintiff(s)

And

LINDA RUCK
(Australian PP No. E7081714)

... Defendants(s)

AFFIDAVIT

I, Roger James Hamilton (NRIC No. S6883456B), of 30 Keppel Bay Drive Blk 30, #01-47, The Caribbean, Singapore 098650 do solemnly and sincerely affirm and say as follows:—

1. I am the Chairman of the Plaintiff and am duly authorised to make this affidavit on the Plaintiffs' behalf.

2. The facts and matters deposed to hereinafter are either within my personal knowledge or are derived from documents in my possession. Insofar as the matters deposed to are within my personal knowledge, they are true. Insofar as the matters deposed to are not within my personal knowledge, they are true to the best of my knowledge, information and belief.

3. I make this affidavit in support of the Plaintiffs' application for the interrogatories without order served by the Plaintiffs on 27 April 2007 ("**the Interrogatories**") to be withdrawn, and also in response to the Defendant's affidavit filed on 18 June 2007.

4. I crave leave to refer to the following affidavits previously filed in this current suit:-
 - (a) my 1st Affidavit filed on 19 December 2006 ("**Roger's 1st Affidavit**");
 - (b) Supplemental Affidavit of Linda Irene Ruck filed on 29 March 2007 ("**Defendant's Supplementary Affidavit**");
 - (c) 5th Affidavit of Linda Irene Ruck filed on 18 June 2007 ("**Defendant's Interrogatories Affidavit**"); and
 - (d) Affidavit of Ian Jeffrey Mark Grundy filed on 8 May 2007.

5. I also crave leave to refer to the following affidavits filed in the related matter of MC Suit No. 15447 of 2005G ("MC Suit 15447"):-
 - (a) the Defendant's affidavit filed on 28 September 2005; and
 - (b) my affidavit filed on 9 November 2005.

The Plaintiff's Business

6. The Defendant has cast aspersions on the Plaintiff's business, alleging that the same is illegal and a pyramid sales company. On that basis, the Defendant alleges that she is entitled to serve interrogatories relating to the Plaintiff's financial details.

7. Such an allegation is completely misconceived and without merit.
8. First and foremost, the Plaintiff is **not** a pyramid sales company. Instead, the Plaintiff is a company in the business of technical, vocational and commercial education and mail order agencies.
9. The Plaintiff has always been candid about the nature of its business, which is that in addition to selling books, magazines, seminars and training sessions, it also offers for sale memberships to a network of entrepreneurs (“Life Memberships”) on the basis that people who take up these memberships (“Life Members”) are entitled to receive the following benefits and/or services:-
 - (a) discounts or free admission to Entrepreneurial Seminars run by the Plaintiff in various countries around the world. These seminars include, amongst others, the Wealth Dynamics Weekend, and the Entrepreneur Business School;
 - (b) free admission, for life, to networking events run by the Plaintiff. The objectives of these events are for Life Members to find the partners, financiers, mentors and team members they are looking for in any of the countries where the Plaintiff has a presence;
 - (c) free entry and facilitated introductions into the Plaintiff’s XL Life Member groups online, which is the largest online business directory and online

business forum in the region, with access to over 2,000 industry & regional forums, 50,000 entrepreneurs and over 200 monthly networking events in 151 countries;

- (d) gain certification in life coaching and professional mentorship. Life Members are entitled to attend the certification modules in Life Coaching and Wealth Consulting and get certified to earn from their knowledge;
- (e) coaching and consulting accredited social enterprises. Life Members are able to provide expert assistance to support companies which engage in social entrepreneurship; and
- (f) receive free subscription to the latest advice and stories from the best entrepreneurs and advisors in the World. Life Members would receive a free copy of the XL Magazine which provides a mix of advice from entrepreneurs and experts from around the world. The Plaintiff also provides regular advice for entrepreneurs and professionals online.

Copies of the Plaintiff's literature and materials distributed to potential Life Members promoting the above benefits and perks of the Life Membership have been exhibited at "**RJH-1**" in Roger's 1st Affidavit.

10. Hence, the Life Membership is one of the commodities that the Plaintiff offers for sale. With the purchase of the Life Membership, a person will then have the right to become a part of a network, and also be entitled to use and enjoy the services and benefits that come with being a Life Member.
11. There is nothing sinister about this, and the Plaintiff has also never sought to hide the fact that it is selling Life Memberships as part of its business. There is nothing to hide! This is a perfectly legitimate business, which is akin to the sale of country club memberships, which then entitles a country club member to make use of benefits, services and facilities at any particular country club. I shall deal with this in greater detail below.
12. Suffice to say that the Defendant clearly knows that the Plaintiff is not engaged in pyramid sales.
13. In fact, by her own admission, she had herself previously been actively involved in the Plaintiff's business and in helping the Plaintiff sell its Life Memberships, and must therefore have known and believed that this is a legitimate business.

Clearly No Illegality Even On Evidence Exhibited In Defendant's Own Affidavit

14. The truth of the matter is that the Defendant's assertion that the Plaintiff engages in pyramid sales and/or illegal conduct also falls flat even on the Defendant's own evidence as set out in her affidavit filed on 14 February 2007.

15. At page 45 of the Defendant's own affidavit filed on 14 February 2007, she exhibits a newspaper article which quotes the authorities as saying that no action needed to be taken against the Plaintiff.
16. In light of the position taken by the authorities in the newspaper article which the Defendant had herself exhibited in her affidavit of 14 February 2007, the Defendant **must know** that any allegations that the Plaintiff is engaged in illegal conduct (or pyramid sales) is clearly unsustainable and/or without basis. This is particularly so since the authorities have come out unequivocally to confirm that they have concluded that no action need be taken.

Interrogatories Not Relevant - Illegality Not Pleaded

17. In any case, I am advised and verily believe that Order 18 Rule 8(1) of the Rules of Court provides that a defendant must, in its pleadings, specifically plead facts showing illegality if it intends to allege and rely on such illegality to make a plaintiff's claim not maintainable.
18. Hence, if it is the Defendant's case that the Plaintiff is not entitled to maintain its claim against the Defendant on account of alleged pyramid sales schemes, it is incumbent on the Defendant to specifically plead the facts in support of her allegations in her Defence.

19. Significantly, however, the Defendant has failed and/or neglected to make any such specific pleadings of fact in her Defence.
20. All along, the Defendant's case, as pleaded in her Defence, is simply that:-
 - (a) the Plaintiff's claim is one of breach of confidence, but the Plaintiff had failed to plead specifically what is the confidential information that the Defendant had divulged;
 - (b) the Defendant had not divulged any such information; and
 - (c) even if the Defendant did divulge such information, the same is already in the public domain and the Defendant is therefore absolved from liability.
21. However, it soon became clear to the Defendant that the defences above would clearly fail and will not be able to absolve her from liability for the Plaintiff's claim and the Plaintiff's application for summary judgment.
22. This is because, the Plaintiff's claim is not, and was never, based on breach of confidence. Rather, the Plaintiff's complaint is that the Defendant, in breach of her express obligations under the Settlement Agreement entered into between parties, had:-
 - (a) taken active steps to disparage the Plaintiff and me, and had made disclosures of information and allegations that could be deemed, and were, detrimental,

negative and harmful to me and the Plaintiff. This is despite the fact that she was under a clear obligation not to make such disparaging allegations and/or disclosures; and

- (b) taken steps to persuade the Plaintiff's staff, country partners and/or speakers either to threaten them, persuade them not to partner the Plaintiff, persuade them to leave the Plaintiff's employ and/or to not speak at any of the Plaintiff's events, when she had clearly undertaken not to do so.

- 23. Realising that she will not be able to avoid liability by way of the defences she had put up in her Defence, and in order to avoid summary judgment being entered against her, the Defendant conjured up this allegation of pyramid sales in her Supplementary Affidavit in opposition of the summary judgment application.
- 24. This was therefore simply a last-gasp attempt to try to stave off the Plaintiff's legitimate claim.
- 25. Significantly, however, the Defendant's allegation that the Plaintiff is engaged in pyramid sales is, to date, still not set out or pleaded in the Defence (Amendment No. 1) filed on 27 June 2007.
- 26. **Whether the Plaintiff is engaged in pyramid sales is therefore not, and never was, a relevant issue in respect of the present suit before the Courts.**

27. On this fact alone, the Defendant's interrogatories ought to be disallowed and withdrawn.

Plaintiff Not A Pyramid Sales Company

28. In any case, even if the issue of whether the Plaintiff is engaged in pyramid sales is a relevant issue in the present case, and it is vehemently denied that it is, the interrogatories sought (which relate to financial information of the Plaintiff) are not necessary.
29. The interrogatories sought relate to the financial details of the Plaintiff. They do not, however, show how the Plaintiff is structured as a company, nor would the answers to the interrogatories (if furnished) give any indication of how the Plaintiff's businesses are being run or prove (or disprove) that it is a business model that requires its Life Members to recruit other Life Members (for profit), in a manner that is not sustainable.

Nature of multi-level marketing or pyramid selling schemes

30. Multi-level marketing or pyramid selling schemes are schemes which require participants to pay an upfront charge. In return, the participants are promised financial rewards for each additional participant they recruit, as well as all new participants who are in turn brought in by their recruits - hence the pyramid-like structure.

31. As more people are recruited by the participants, the participants' recruits, and the recruits of the participants' recruits etc, the original participants hope to recover their upfront charges and earn sizeable profits.
32. Therefore, the primary feature of a pyramid selling scheme is that **any and every** participant in the scheme will be paid commissions or rewards just to recruit other new members, in a manner which is unrelated to sale of any valuable/real commodity or service to ultimate users.
33. Such pyramid sales schemes (which are illegal) are to be contrasted and distinguished from Multi-Level Marketing schemes which are exempted under the Multi-Level Marketing and Pyramid Selling (Excluded Schemes and Arrangements) Order 2000. The exempted schemes include those which involve a participant reseller, sub-franchisee or licensee who receives specific commissions for his/her role in promoting a valuable/real commodity or service.
34. In other words, legitimate multi-level companies include a service or product of value where the commission is related to this service or product while pyramid sale companies will have commissions tied simply to recruitment and no valuable/real commodity is sold. I annex hereto and mark as "**RJH-19**", copies of the Ministry of Trade & Industry Singapore's webpages which contain materials on Multi-Level Marketing and pyramid sales.

35. In this regard, I verily believe that the Defendant's claim in paragraph 6 of her Interrogatories Affidavit, that it is not lawful to operate "*a scheme or arrangement for the distribution or purported distribution of a commodity whereby the Plaintiffs then receives a benefit as a result of the recruitment of more additional participants in the scheme or arrangement*" is preposterous.
36. Further, her claim in paragraph 8 of her Interrogatories Affidavit that the Plaintiffs would be contravening the Multi-Level Marketing and Pyramid Selling (Prohibition) Act if they were "*really making their income from the recruitment of additional participants*" (i.e. Life Members) is similarly misguided.
37. The Defendant's definition of illegal multi-level marketing and/or pyramid selling would literally mean all country clubs, banks, hotels and even schools, which undeniably distribute commodities and make their income from the recruitment of "*additional participants*", are operating unlawful pyramid-selling schemes. This flies in the face of common sense and is plainly wrong.

Marketing Materials show that Plaintiff is not involved in pyramid selling

38. Indeed, the Plaintiff's marketing materials ("**Marketing Materials**"), which the Defendant already has possession of (as the same have been annexed to Roger's 1st Affidavit and also the Defendant's Supplementary Affidavit), clearly demonstrate that the Plaintiff is not involved in pyramid selling.

39. The Defendant, having been a former senior staff of the Plaintiff, and having actively been involved in the Plaintiff's business and the Marketing Materials, must surely know that:-

- (a) it is clear from the Plaintiff's Marketing Materials that no commissions are automatically paid to any Life Member for recruiting other members;
- (b) the Life Membership is not in any way represented as a direct sales and/or earning opportunity, and there is no obligation on the ordinary Life Member to recruit other members for the sake of commission or reward. Although many Life Members do in fact recommend the Life Membership to their friends, they do so in view of the benefits they have themselves obtained from the Life Membership, with the hope that their friends will similarly receive the same benefits;
- (c) it is simply not the case that the Life Membership involves Life Members having to ferociously recruit other members in order to earn commissions to recoup their membership fees;
- (d) instead, the Marketing Materials make it clear that the Life Membership is much akin to membership of country clubs. The Life Membership, like membership to a country club, is an intangible good;

- (e) just as country club members are entitled to make use of the facilities of the country club repeatedly, the benefits that come with the Life Membership are not one-time benefits and/or services. Rather, the Life Membership benefits and/or services are for life, and the Life Members can continue to enjoy the same repeatedly. Regular talks and seminars and other networking events are organised for the Life Members. The Life Members also receive regular reference materials, magazines, and other printed materials and advice relating to entrepreneurship.

Indeed, many of the Plaintiff's very first Life Members (i.e. those who signed up as members from the inception of the company) continue to enjoy and use these services and benefits regularly. Many of the Plaintiff's Life Members have enjoyed huge successes both in their personal and professional fronts as a result of their signing up for the Life Membership and actively using the Plaintiff's services.

40. The Defendant is fully aware of these above matters. Yet she persists in making such serious and false accusations against the Plaintiff, and is now attempting to obtain interrogatories on irrelevant matters to try to support her baseless (and unpleaded) case. The Defendant's conduct is nothing short of bad faith!

Interrogatories are completely unnecessary

41. At paragraph 9 and 10 of her Interrogatories Affidavit, the Defendant asserts that in order to determine whether the Plaintiff is really making its income from the recruitment of additional participants, “*there is no better litmus test then through the financial statements of the Plaintiffs*”.

42. The Defendant’s assertion is misconceived.

43. The simplest way to find out whether an operation involves pyramid selling is to look at whether each of the new members that join up with the scheme will:-

- (a) earn his recruiter, his recruiter’s recruiter, and his recruiter’s recruiter’s recruiters (and so on) a profit; and
- (b) be expected, or will expect to have to, go out and procure more new members/recruits, and thereby make a profit in the process.

These are the most important indications of whether a particular operation is a pyramid sales scheme.

44. The answers to interrogatories (even if furnished) do not, and will not, evidence any of the indications set out in paragraph 43 above.

45. Put another way, the answers to interrogatories (even if furnished) will not be helpful in proving or disproving whether the Plaintiff is engaged in pyramid sales.
46. The Defendant's attempt to serve interrogatories on the financial information of the Plaintiff is clearly no more than an attempt to fish for information and evidence, with the hope that she will chance upon some material, which she can then misrepresent and/or misinterpret and use:-
 - (a) as a last ditch attempt to conjure up some frivolous defence for the Plaintiff's claim against her; and/or
 - (b) as fodder for her efforts at further running the Plaintiff down publicly and/or to disparage and damage the Plaintiff's reputation and business.

Ulterior Purpose of Interrogatories

47. In addition, the allegations of pyramid sales and the interrogatories served by the Defendant are not only irrelevant to the real issues in the present case, they were in fact served for another ulterior motive.
48. I verily believe that the Defendant's real purpose for making allegations of pyramid sales against the Plaintiff, and for serving the interrogatories, was really an attempt to run the Plaintiff down publicly and/or to further disparage and damage the Plaintiff's reputation and business. I explain the reasons for my belief in detail below.

Disparaging Emails Against Plaintiff Sent By Defendant and/or Her Associates

49. After the Defendant was granted leave to file the Defendant's Supplementary Affidavit and was granted unconditional leave to defend the claim, and more importantly **after** the interrogatories were served, various emails containing allegations against the Plaintiff were sent out to the Plaintiff's customers, licensees, and/or the public.

50. A majority of the emails are purportedly sent by one "Mr Alex Lee" or by someone identifying himself/herself as "No Results".

51. I set out just some examples of these emails:-
 - (a) 5 May 2007 from "No Results":- this email was sent to, amongst others, one of the Plaintiff's staff, Irene Millar, enclosing portions of the Defendant's Supplementary Affidavit which contain allegations that the Plaintiff was engaged in pyramid sales. A copy of the interrogatories was also attached to this email. The title of the email is also designed to be offensive and suggests that the Plaintiff is engaged in illegal dealings as it reads "*Roger Hamilton fails in court bid – XL unlawful business?*";

 - (b) 6 May 2007 from "Alex Lee":- this email was sent to one of the Plaintiff's and my business associate and partner, Mr Thomas Power, and contained text that is identical and/or substantially similar to the email of 5 May 2007 referred to above, and also enclosed portions of the Defendant's

Supplementary Affidavit which contain allegations that the Plaintiff was engaged in pyramid sales, and a copy of the interrogatories;

- (c) 6 May 2007 from “No Results”:- this email also enclosed portions of the Defendant’s Supplementary Affidavit which contain allegations that the Plaintiff was engaged in pyramid sales, and a copy of the interrogatories;
- (d) 11 May 2007 from “Alex Lee”:- This email was again sent to Mr Thomas Power. The text of the email implicitly alleges that the Plaintiff is engaged in pyramid sales as its principal revenue source is through sale of Life Memberships;
- (e) 12 May 2007 from “Alex Lee”:- this email was again sent to Mr Thomas Power, and the text of this email is identical to the email of 11 May 2007 referred to above;
- (f) 13 May 2007 from “No Results”:- this email enclosed portions of the Defendant’s Supplementary Affidavit which contain allegations that the Plaintiff was engaged in pyramid sales, and a copy of the interrogatories;
- (g) 11 June 2007, from “No Results”:- this email was sent to Ms Irene Millar and alleges that *“XL faces mass refunds as pyramid scheme unravels. XL fails to submit detailed accounts as requested by the court.”*;

- (h) 11 June 2007, from “No Results”:- an identical email to that sent to Ms Irene Millar (referred to in (g) above) was also sent out to other parties;
- (i) 12 June 2007, from “No Results”:- an identical email to that sent to Ms Irene Millar was sent out again, this time to myself and to other parties; and
- (j) 18 June 2007 from “Alex Lee”:- this email was sent to Mr John Abbott. The email alleges that Mr Abbott has been “*duped*”. What is most offensive, however, is that it alleges that “*Roger Hamilton and Paul Dunn are running an illegal pyramid scheme*”.

Copies of the aforesaid emails are attached and collectively marked “**RJH-20**”.

- 52. It is curious how “Alex Lee” and “No Result” came into possession of the Defendant’s Supplementary Affidavit and the interrogatories such that the same could have been enclosed as attachments to their emails referred to above.
- 53. I am advised and verily believe that affidavits filed in court cannot be obtained by a non-party to the suit unless granted leave by the Court and that good reasons have to be furnished before the Court will grant such leave.

54. An index search of the present suit as at 29 June 2007 reveals that apart from the Defendant (who made a request to inspect documents sometime on 19 March 2007), no other party/person has ever requested for leave to inspect and/or to obtain copies of the Affidavits filed by the Defendant. A copy of the aforesaid index search is annexed hereto and marked “**RJH-21**”.
55. The Plaintiff, the Plaintiff’s staff, the Plaintiff’s solicitors and I had at no time given any non-party to the suit copies of the Defendant’s Affidavits.
56. The circumstances therefore clearly point towards “Alex Lee” and “No Results” either being:-
- (a) the Defendant’ herself, and that “Alex Lee” and “No Results” is just an attempt by the Defendant to hide behind false identities in a bid to cover up her tracks; and/or
 - (b) persons procured by the Defendant and/or who are the Defendant’s associates, and/or who are connected to the Defendant, and to whom the Defendant provided the Defendant’s Affidavits.
57. Significantly, several of the emails referred to above also provide the Defendant’s email address so that recipients of these emails can contact the Defendant for “confirmation” of the allegations made in the emails. This further corroborates the

fact that “Alex Lee” and “No Results” is really either the Defendant herself and/or parties connected to her.

58. Further, the Defendant herself has seen it fit to send an email dated 17 May 2007 in her own name, setting out substantially the same text as the emails sent by “Alex Lee” and conveniently including the Defendant’s solicitor’s contact details. A copy of this email is annexed hereto and marked “**RJH-22**”.

Allegations In Emails Erroneous

59. What is more egregious about the emails referred to above, is that it is clear that the allegations in the emails are erroneous and do not give an accurate reflection of the truth of the status of proceedings, and/or contains spurious allegations which are harmful and defamatory of the Plaintiff.
60. First, the Court has, to date, made absolutely no finding on the Plaintiff being involved in pyramid sales. There is also no basis for any allegation that the Plaintiff faces mass refunds as a result of being found liable or guilty of being involved in pyramid sales.
61. In fact, the contrary is true! Clear objective evidence suggest that the Plaintiff is not at all involved in pyramid sales scheme and/or any illegal conduct.

62. Second, while the Defendant had served interrogatories on the Plaintiff, **the Court did not require that the Plaintiff submit any detailed accounts and/or answer the interrogatories served by the Defendant, whether by 31 May 2007 or on any other date.** Instead, there is a pending application for the interrogatories to be withdrawn.
63. There is therefore at present absolutely no obligation on the Plaintiff's part to furnish any detailed financial information or to answer the interrogatories, much less any failure on the part of the Plaintiff to comply with the Court's directions to do so.
64. Despite knowing the same to be untrue, the Defendant and/or "Alex Lee" and "No Results" (whom I believe to be the Defendant's aliases and/or her associates) have seen fit to make the false assertions/allegations against the Plaintiff in their emails referred to above. This underscores their maliciousness.

Real Purpose For Interrogatories

65. I verily believe that the Defendant's real intention in serving the interrogatories was not to secure admissions or procure relevant evidence for the purposes of saving time and costs in these proceedings, and/or for the fair disposal of this matter.
66. Rather, the Defendant clearly had an ulterior motive for serving the interrogatories, which is to make use of the same to conjure up false bases to cast further aspersions on the Plaintiff's reputation publicly.

67. Specifically, I verily believe that the interrogatories were served as the Defendant wanted to use the same as an excuse and/or false basis upon which to premise the following allegations, which was then published widely to the Plaintiff's staff, licensees, partners, and Life Members (in the emails sent by "No Results", "Alex Lee" and the Defendant referred to above):-

- (a) the Plaintiff faces mass refunds "*as the pyramid scheme unravels*";
- (b) "*Roger Hamilton has until 31 May ,2007 to produce full detailed accounts of the revenue source of the company*"; and
- (c) the Plaintiff had failed "*to submit detailed accounts as requested by the court*".

68. In light of all the reasons set out above, the service of the interrogatories by the Defendant is completely unnecessary, oppressive, and/or an abuse of process.

Defendant's Penchant For Misrepresenting Matters

69. Finally, I wish to deal with the Defendant's allegation at paragraph 10 of her affidavit filed on 18 June 2007.

70. The Defendant alleges that the Plaintiff has contradicted itself and that it does not lie in the Plaintiff's mouth to contend that the financial matters of the Plaintiffs are not

relevant issues to the present case. The Defendant asserts that this is because I had exhibited the Plaintiff's financial statements for the years of 2003 to 2005 in my affidavit of 9 November 2005 filed in MC Suit 15447.

71. The Defendant's allegations are wholly misconceived.
72. First, the Plaintiff's financial matters are clearly wholly irrelevant to the present case. The issues that arise in this case is only in respect of whether the Defendant had breached her obligations under the Settlement Agreement by her conduct of having:-
 - (a) taken active steps to, and/or making allegations that, disparage the Plaintiff and myself;
 - (b) made disclosures of information and allegations that could be deemed, and were, detrimental, negative and harmful to me and the Plaintiff; and/or
 - (c) taken steps to persuade the Plaintiff's staff, country partners and/or speakers either to threaten them, persuade them not to partner the Plaintiff, persuade them to leave the Plaintiff's employ and/or to not speak at any of the Plaintiff's events.
73. The Plaintiff's financial statements therefore have completely nothing to do with whether the Defendant had indeed engaged in the aforesaid conduct, and if she had, whether the same constitutes a breach of the Settlement Agreement.

74. Second, the fact that I had exhibited the Plaintiff's financial statements for 2003 to 2005 in his affidavit of 9 November 2005 filed in MC Suit 15447 has been completely taken out of context and does not assist the Defendant.
75. My affidavit of 9 November 2005 was filed in response to the Defendant's affidavit filed on 28 September 2005. The Defendant's affidavit filed on 28 September 2005 was in support of her application for summary judgment in MC Suit 15447.
76. In paragraph 15 of the Defendant's affidavit filed on 28 September 2005, she alleged that she met a lawyer "*representing a group of life members against the Defendant*", and she went on to suggest that the Plaintiff's "*financial position and pattern of settling their bills and outstanding*" was suspect, and that was why she had wanted her severance package as quickly as possible.
77. In short, in her affidavit filed on 28 September 2005, the Defendant was making allegations that the Plaintiff was financially unsound and/or that it was suffering substantial losses.
78. It was in that context that the Plaintiff, through me, decided to exhibit its financial statements of 2003 to 2005 to show clear proof that:-
- (a) the Defendant's allegation that the Plaintiff was in a bad financial state of health was absolutely untrue;


- (b) the Plaintiff was always a profitable going concern and was not in any financial jeopardy at the relevant time; and
 - (c) the Defendant being a key member of the Plaintiff's staff at the relevant time clearly knows that the Plaintiff's financial health was not suspect or in jeopardy.
79. Put another way, the purpose of my exhibiting the financial statements way back in November 2005 (in a different matter to the present suit) was simply to expose, once and for all, the Defendant's false allegations and lies about the alleged poor state of the Plaintiff's financial health at that time.
80. It was also done to put an end to the Defendant's hopeless attempt, at that time, to colour the Court's impression of the Plaintiff in MC Suit 15447.
81. The exhibiting of the financial statements was therefore not for the purposes of proving or disproving any of the pleaded issues in the current case!

82. That the Defendant had seen fit to make the assertions at paragraph 10 of her affidavit filed on 18 June 2007 only evidences her penchant for misrepresenting matters and/or making assertions wholly out of context.

Conclusion

83. In the premises, I respectfully ask this Honourable Court to make an order in terms of the application herein.

Affirmed at Singapore this
1st day of JULY 2007.

) 
)
Before me,

A Commissioner for Oaths.

This affidavit is filed on behalf of the Plaintiffs.

THIS IS THE EXHIBIT MARKED " *RJH-19* "
REFERRED TO IN THE AFFIDAVIT
OF *Roger James Hamilton*
SWORN/AFFIRMED THIS DAY
OF 20 ..
BEFORE ME

A COMMISSIONER FOR OATHS

FAQs

31

Multi-level Marketing and Pyramid Selling

1. What is Multi-Level Marketing (MLM) and Pyramid Selling?
2. How do I recognise a pyramid selling scheme?
3. How are MLM activities governed in Singapore?
4. Why is there a need to have an Exclusion Order?
5. Why is there a need to amend the Exclusion Order?
6. What were the amendments made in 2001 to the Exclusion Order?
7. When did the amended Exclusion Order come into effect?
8. Where can one obtain the amended Exclusion Order?
9. What are the penalties for being in breach of the MLM Act?
10. What would happen to "innocent victims" who participated in pyramid schemes unknowingly, and who did not benefit in any way before the scheme closed down?
11. Is there a special license required to conduct those types of businesses listed in the Exemption Order?
12. Can the operators and members of the public seek the Government's advice on the legality of their business schemes?
13. Which agency should a member of the public report to, if they suspect that certain business schemes are actually illegal multi-level marketing or pyramid selling schemes?

1. What is Multi-Level Marketing (MLM) and Pyramid Selling?

A Multi-Level Marketing or Pyramid Selling scheme will typically require participants to pay an upfront charge. In return, the participants are promised financial rewards for each additional participant recruited, as well as all new participants who are in turn brought in by their recruits - hence the pyramid-like structure.

As more salespersons are recruited, participants hope to recover their upfront charges and earn sizeable profits. However, such a pyramid schemes will eventually collapse when they run out of new recruits, resulting in those salespersons at the bottom of the pyramid losing all their upfront charges.

In the interest of consumer protection, the Government's regulation effort is targeted at preventing the proliferation of such high-risk schemes.

2. How do I recognise a pyramid selling scheme?

Many pyramid schemes often disguise themselves as sellers collectors' items, software, training programmes, etc. when all they are interested is to make a quick buck through recruitment. Members of the public who attend sales talks must be vigilant to such schemes. Illegitimate MLM schemes usually share the following characteristics:

When the promoter hype about how easy it is to earn money, people can get very rich in a very short time and that the way to earn money is by recruiting others to join the scheme;

The so-called product that you are supposed to sell is not something you would normally buy at its price;

Participants are required to invest money into the scheme, whether in the form of a joining fee, or buying inventory.

Remember - there is no easy money, you must believe in what you are selling and you should not put your money at unnecessary risk.

3. How are MLM activities governed in Singapore?

MLM activities in Singapore are governed by the Multi-level Marketing and Pyramid Selling(Prohibition) Act. The Ministry of Trade and Industry administers the Act.

The original Multi-Level Marketing and Pyramid Selling (Prohibition) Act was first passed in 1973. In June 2000,

Parliament approved an amendment to the Act to widen the definition of pyramid selling to catch all business schemes that were multi-level in nature.

However, as not all multi-level marketing techniques are undesirable, the Government concurrently enacted the Multi-Level Marketing and Pyramid Selling (Excluded Schemes and Arrangements) Order (hereafter, referred to as the 'Exclusion Order') to exclude legitimate businesses from the Act, such as insurance companies, master franchises, and direct selling companies which fulfill certain criteria. This Exclusion Order was implemented in June 2000.

4. Why is there a need to have an Exclusion Order?

Not all multi-level marketing techniques are undesirable. There are legitimate businesses using innovative sales tactics, and should not be lumped together with pyramid schemes.

Hence, the Government enacted the Multi-Level Marketing and Pyramid Selling (Excluded Schemes and Arrangements) Order (hereafter, referred to as the 'Exclusion Order') in June 2000, to exempt legitimate businesses from the Act. The following categories of businesses were exempted:

(1) Insurance businesses that are registered, approved or licensed under the Insurance Act, the Insurance Intermediaries Act 1999 and the regulations made thereunder;

(2) Master franchise schemes and direct selling schemes which satisfy the following conditions:

- the benefit received by any promoter or participant is as a result of the sale, lease, license or other distribution of a commodity and not as a result of the recruitment of additional participants;
- the promoter of the scheme shall not knowingly make false or misleading representation or omission relating to the scheme or the commodity;
- the promoter shall not make any representation on the benefits other than those allowed;
- there should be a clearly stated policy on refund or buy-back guarantee.

After the Exclusion Order was enacted in 2000, the Government received feedback that the provisions in the Exclusion Order were not sufficiently clear. Some members of the public were also confused by claims of legitimacy by companies and often requested for the Government to clarify if particular schemes were legitimate.

In response to the feedback, the Government reviewed the Exclusion Order, and subsequently amended the Order in 2001.

5. Why is there a need to amend the Exclusion Order?

As a result of developments in the market and suggestions from the public, the Ministry of Trade and Industry, in consultation with the industry, and taking into consideration the public's comments, has come up with a revised MLM Exclusion Order.

6. What were the amendments made in 2001 to the Exclusion Order?

The Exclusion Order 2001 continued to maintain that insurance companies and master franchises would be excluded from the MLM Act.

However, it also introduced the following rules for direct selling companies:

- Safeguards** - A participant cannot be required to provide any benefit or acquire any commodity in order to become a participant in the scheme, other than the purchase of demonstration equipment which is not for resale, at no more than cost price and for which no commission can be given out. A legitimate multi-level marketing scheme would not impose a financial risk on salespersons. For example, salespersons should be entitled to full refunds, under reasonable commercial terms, for any inventories kept or purchased by them which are not sold to end consumers, so long as the inventories are returned within a period of 60 days.
- Behavioural checks** - The companies must not misrepresent the scheme as get-rich-quick opportunities, and should not use fraud, coercion, harassment, or unconscionable means to force people to join the scheme.

33
 Instead, the companies should focus their efforts on promoting the quality and features of the products. If a company wishes to show potential participants the earning potential, they must keep records of the maximum, minimum, mean, mode and median earnings of their salespeople in the past.
 Sharing of commission - It is all right for a salesperson to share commissions from several layers of salespersons recruited by him. However, such commissions must be generated by sale of the product or service in question, and not through the recruitment of additional participants into the scheme.

7. When did the amended Exclusion Order come into effect?

The amendments to the Exclusion Order were published on 14 December 2001, and came into effect on 01 January 2002.

8. Where can one obtain the amended Exclusion Order?

The full text of the current Multi-Level Marketing and Pyramid Selling (Excluded Schemes and Arrangements) Order can be accessed at the MTI website.

9. What are the penalties for being in breach of the MLM Act?

During the review of the MLM Act in Year 2000, the fines were raised from \$30,000 to \$200,000. Currently, a conviction under the Act will result in a fine of up to \$200,000 or to imprisonment for a term not exceeding 5 years, or to both. The fines are for the following offences:

promoting or participating in a multi-level marketing, or pyramid selling, scheme or arrangement.

registering a business which is designed to promote multi-level marketing, or pyramid selling, scheme or arrangement.

registering a company which proposes to promote multi-level marketing, or pyramid selling, scheme or arrangement.

In addition, the Act empowers a Court that convicts a promoter or participant of a multi-level marketing or pyramid selling an additional penalty of an amount not exceeding the amount or value of any benefit which the promoter or participant has received. This additional penalty ensures that the Act serves as an effective deterrent to potential offenders.

10. What would happen to "innocent victims" who participated in pyramid schemes unknowingly, and who did not benefit in any way before the scheme closed down?

Under the Act, all persons who participate in multi-level marketing or pyramid selling would commit an offence. This is because the participants would have played an active but destructive role of attracting others into the scheme. We believe that this is the best way to deter the potential promoters of such schemes.

Hence, we would urge the public to be extra careful and to exercise due diligence when deciding whether to participate in business schemes. They should be doubly suspicious of get-rich-quick promises. If they believe empty promises and hand over their money to the promoter, chances are they will be cheated of the money. At the same time, they might be guilty of committing an offence as they are participating in an illegal scheme.

11. Is there a special license required to conduct those types of businesses listed in the Exemption Order?

Companies whose business schemes fall under the Exclusion Order are not required to obtain a special licence.

12. Can the operators and members of the public seek the Government's advice on the legality of their business schemes?

It is not proper, nor appropriate, for Government agencies to give legal advice on which scheme is legal and which is not, as this would circumscribe the Government's effectiveness in enforcing regulation against fraudulent schemes that may evolve over time.

Instead, the operators and members of the public should acquaint themselves with the relevant laws, and seek legal advice from lawyers, where necessary. Lawyers should be able to advise on specific cases, according to the context and how the actual events unfold.

13. Which agency should a member of the public report to, if they suspect that certain business schemes are actually illegal multi-level marketing or pyramid selling schemes?

The Commercial Affairs Department (CAD) investigates pyramid selling schemes. If you suspect a scheme has contravened the MLM Act, you can report to the CAD at telephone number 3250000 or lodge a report at 391 New Bridge Road, #06-701 Block D, Police Cantonment Complex, Singapore 088762.

THIS IS THE EXHIBIT MARKED " *RJH-20* "
REFERRED TO IN THE AFFIDAVIT
OF *Roger James Hamilton*
SWORN/AFFIRMED THIS DAY
OF 20

BEFORE ME

A COMMISSIONER FOR OATHS

----- Forwarded Message

From: No Results <members_xl@yahoo.com>

Date: Sat, 5 May 2007 05:42:11 -0700 (PDT)

To: <irene@resultsfoundation.com>, <members@resultsfoundation.com>

Subject: FWD Roger Hamilton fails in legal bid - XL unlawful business?

Irene, I believe the affidavit lodged against XL is a public document and available from the company lawyers, Drew Napier?

FWD:

Update from Singapore

After over two years of litigation against a former employee Roger Hamilton has failed in his summary judgment in Singapore. Roger Hamilton has spent

several hundred thousand dollars of XL Life Membership fees in legal fees and conducted a malicious slur campaign against the sole defendant who alleged wrong doing.

The former employee's affidavit was accepted in entirety and has opened up questions on the company's revenue source. The affidavit is now a public document. Roger Hamilton has until the 31st May, 2007 to produce fully detailed accounts of XL Results Foundation and its revenue source.

Any licensee or agent who has received commission on sales of XL Memberships is urged to seek independent legal advice.

Ahhh...imagining that irresistible "new car" smell?

Check out new cars at Yahoo! Autos.

<http://us.rd.yahoo.com/evt=48245/*http://autos.yahoo.com/new_cars.html;_ylc=X3oDMTE1YW1jcXJ2BF9TAzk3MTA3MDc2BHNIYwNtYWlscGFncwRzbGsDbmV3LWNhcnM->>
 <http://us.rd.yahoo.com/evt=48245/*http://autos.yahoo.com/new_cars.html;_ylc=X3oDMTE1YW1jcXJ2BF9TAzk3MTA3MDc2BHNIYwNtYWlscGFncwRzbGsDbmV3LWNhcnM->>

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2004, where the only revenue was from the sale of 38 new life memberships. According to the sales report, the New Zealand licensee got a 20% commission on the sale of the life memberships. Exhibit "LR-5"

22. I am now advised and verily believe that it is not lawful to operate a scheme or arrangement for the distribution or purported distribution of a commodity whereby, the person then receives a benefit as a result of the recruitment of more additional participants in the scheme or arrangement. It is clear from the matters described above, that RH, together with the licensees are using the Plaintiffs to operate such a scheme.

Paul Stuart Dunn ("PSD") and Daniel Steven Priestly (DSP") are licensees and part of the scheme

23. Both PSD and DSP are licensees in the same scheme abovementioned, perpetuated and operated by RH through the use of the Plaintiffs as a vehicle.

24. They each have huge financial interest in keeping the scheme and the Plaintiffs surviving. In a way and as I am now advised and verily believe, they together with RH are using the Plaintiffs to suck on and prey on new recruits to the scheme.

IN THE SUBORDINATE COURTS OF THE
REPUBLIC OF SINGAPORE

MC24750/2006/D

Between

XL RESULTS FOUNDATION PTE LTD
RC No. 200107729C

...Plaintiff(s)

And

LINDA RUCK
(Australia) PP No. E7081714

...Defendant(s)

INTERROGATORIES

GOH AIK LENG MARK
MARK & DENNIS
20 MAXWELL ROAD
#10-09A
MAXWELL HOUSE
SG 069113
TEL:62222535
FAX:06562226330
Ref: GAL.2542.07

Filed this 26th day of April 2007

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

MC Suit No. 24750 of 2006/D

Between

XL RESULTS FOUNDATION PTE LTD
(RC No. 200107729C)

... Plaintiffs

And

LINDA RUCK
(Australia Passport No. E7081714)

... Defendant

INTERROGATORIES - WITHOUT ORDER

On behalf of the abovenamed Defendant for the examination of the abovenamed Plaintiffs.

1. In each of the years, 2002, 2003, 2004, 2005 and 2006, please provide the Plaintiffs' Financial year-end date/dates.
2. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the aggregate revenue/ income before tax earned by the Plaintiffs.
3. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide a detailed description of the various heads of revenue/ income before tax earned by the Plaintiffs.

4. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the revenue/income before tax earned by the Plaintiffs, in respect of the sales of the Plaintiffs' various membership programmes.
5. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the revenue/income before tax earned by the Plaintiffs, in respect of the ticket sales of the Plaintiffs' seminars, talks, training sessions and events.
6. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the revenue/income before tax earned by the Plaintiffs, in respect of the sales of the Plaintiffs' "XL magazine".
7. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the revenue/income before tax earned by the Plaintiffs, in respect of the sales of the Plaintiffs' books.
8. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the aggregate commissions paid to licensees of the Plaintiffs in respect of the sale of the Plaintiffs' various membership programmes.

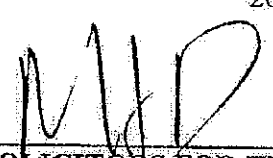
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Mr. Roger Hamilton, the director of the Defendants, XL Results Foundation Pte Ltd, is required to answer all interrogatories above by way of an affidavit by 1600hrs on 31st May 2007.

Served the

day of

2007


SOLICITORS FOR THE DEFENDANT
M/S MARK & DENNIS
(FILE NO. GAL.2542.07)

To : The Plaintiffs and/or their Solicitors
M/s Drew & Napier
20 Raffles Place
#17-00 Ocean Towers
Singapore 048620
(Ref: WWCS/b1/269108)

From: Alex Lee [mailto:alex_lee@yahoo.com]
Sent: 06 May 2007 08:28
To: Thomas Power; julian_bond@blackstar.com
Subject: Attention: Thomas Power - Roger Hamilton fails in court case - XL
unlawful business?

Thomas

Does this mean you are implicated and will also have to pay back all the
duped Blackstars?

FWD:

Legal Update from Singapore

Attached: Affidavit three page extract

Interragatories

After over two years of litigation against a former employee Roger Hamilton has failed in his summary judgment in Singapore - April, 2007. Roger Hamilton has spent several hundred thousand dollars of XL Life Membership fees in legal fees and conducted a malicious slur campaign against the sole defendant who alleged wrong doing.

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Any licensee or agent who has received commission on sales of XL Memberships is urged to seek independent legal advice.

Members are advised to contact the independant Community Activist Ms Ann Phua in Singapore at email: anph@rvmediaworld.com

Ahhh...imagining that irresistible "new car" smell?

Check out new

<[at Yahoo! Autos.](http://us.rd.yahoo.com/evt=48245/*http://autos.yahoo.com/new_cars.html; ylc=X3oDMTE1YW1jcXJ2BF9TAzk3MTA3MDc2BHNIYwNtYWIsdGFncwRzbGsDbmV3LWNhcnM-> cars</p>
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47

IN THE SUBORDINATE COURTS OF THE
REPUBLIC OF SINGAPORE

MC24750/2006/D

Between

XL RESULTS FOUNDATION PTE LTD
RC No. 200107729C

...Plaintiff(s)

And

LINDA RUCK
(Australia) PP No. E7081714

...Defendant(s)

INTERROGATORIES

GOH AIK LENG MARK
MARK & DENNIS
20 MAXWELL ROAD
#10-09A
MAXWELL HOUSE
SG 069113
TEL:62222535
FAX:06562226330
Ref: GAL.2542.07

Filed this 26th day of April 2007

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MC Suit No. 24750 of 2006/D

Between

XL RESULTS FOUNDATION PTE LTD
(RC No. 200107729C)

... Plaintiffs

And

LINDA RUCK
(Australia Passport No. E7081714)

... Defendant

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Mr. Roger Hamilton, the director of the Defendants, XL Results Foundation Pte Ltd, is required to answer all interrogatories above by way of an affidavit by 1600hrs on 31st May 2007.

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day of

2007


SOLICITORS FOR THE DEFENDANT
M/S MARK & DENNIS
(FILE NO. GAL.2542.07)

To: The Plaintiffs and/or their Solicitors
M/s Drew & Napier
20 Raffles Place
#17-00 Ocean Towers
Singapore 048620
(Ref: WWCS/bl/269108)

From: No Results [mailto:members_xl@yahoo.com]
 Sent: Sunday, 6 May 2007 11:48 p.m.
 To: members_xl@yahoo.com
 Subject: Roger Hamilton fails in court bid - XL unlawful business?

Concerned members are advised to contact the independant Community Activist
 Ms Ann Phua on email:
<http://us.f583.mail.yahoo.com/ym/Compose?To=anph@rvmediaworld.com>
anph@rvmediaworld.com

FWD:

Legal Update from Singapore

Attached: three page affidavit extract

Interrogatories dated 26th April, 2007

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Expecting? Get great news right away with email
http://us.rd.yahoo.com/evt=49982/*http://advision.webevents.yahoo.com/mailbeta/newmail_tools.html> Auto-Check.
 Try the Yahoo!
http://us.rd.yahoo.com/evt=49982/*http://advision.webevents.yahoo.com/mailbeta/newmail_tools.html> Mail Beta.

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MC24750/2006/D

Between

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RC No. 200107729C

...Plaintiff(s)

And

LINDA RUCK
(Australia) PP No. E7081714

...Defendant(s)

INTERROGATORIES

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MAXWELL HOUSE
SG 069113
TEL:62222535
FAX:06562226330
Ref: GAL.2542.07

Filed this 26th day of April 2007

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(RC No. 200107729C)

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And

LINDA RUCK
(Australia Passport No. E7081714)

... Defendant

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Served the

day of

2007


SOLICITORS FOR THE DEFENDANT
M/S MARK & DENNIS
(FILE NO. GAL.2542.07)

To: The Plaintiffs and/or their Solicitors
M/s Drew & Napier
20 Raffles Place
#17-00 Ocean Towers
Singapore 048620
(Ref: WWCS/bl/269108)

----- Forwarded Message

From: Alex Lee <alex_lee@yahoo.com>

Date: Fri, 11 May 2007 23:46:28 -0700 (PDT)

To: <thomas.power@ecademy.com>

Subject: Legal Statement from Linda Ruck - XL Litigation

FWD:

Linda Ruck Legal Situation Update
3rd May, 2007

After more than two years of litigation, Roger Hamilton of XL Results Foundation Pte Ltd failed in his summary judgment bid against Linda Ruck.

Linda Ruck is represented by lawyer, Mark Goh (Mark Goh & Co, Advocates &

Solicitors, Singapore).

On the 7th April, 2007 Linda Ruck's affidavit was accepted by the judge in its entirety and is now a public document. The affidavit has opened up specific questions regarding the company and its sources of revenue.

Any individual considering investing in XL Results Foundation Pte Ltd are advised to ask 'good questions' as part of the due diligence process.

Questions posed include: Where is the company's principal revenue source coming from?

- A) Book Sales
- B) Magazine Sales
- C) Seminar Sales;or
- D) Life Membership Sales

Can the revenue from book sales, magazine sales and seminar sales, be much when they are given free to life members?

For confirmation of this statement Linda Ruck can be contacted on email:

linda.ruck@pacific.net.sg

<<http://us.f373.mail.yahoo.com/ym/Compose?To=linda.ruck@pacific.net.sg>>

<<http://us.f373.mail.yahoo.com/ym/Compose?To=linda.ruck@pacific.net.sg>> or
phone: +65 9451 8100

Pinpoint customers

<http://us.rd.yahoo.com/evt=48250/*http://searchmarketing.yahoo.com/arp/sponsoredsearch_v9.php?o=US2226&cmp=Yahoo&ctv=AprNI&s=Y&s2=EM&b=50>

<http://us.rd.yahoo.com/evt=48250/*http://searchmarketing.yahoo.com/arp/sponsoredsearch_v9.php?o=US2226&cmp=Yahoo&ctv=AprNI&s=Y&s2=EM&b=50> who are looking for what you sell.

----- End of Forwarded Message

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For more information please visit <http://www.messagelabs.com/email>

From: Alex Lee [mailto:alex_low@yahoo.com]
Sent: 12 May 2007 07:46
To: Thomas Power
Subject: Legal Statement from Linda Ruck - XL Litigation

FWD:

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3rd May, 2007

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<<http://us.f373.mail.yahoo.com/ym/Compose?To=linda.ruck@pacific.net.sg>>
linda.ruck@pacific.net.sg or phone: +65 9451 8100

Pinpoint

<http://us.rd.yahoo.com/evt=48250/*http://searchmarketing.yahoo.com/arp/sponsoredsearch_v9.php?o=US2226&cmp=Yahoo&ctv=AprNI&s=Y&s2=EM&b=50> customers
who are looking for what you sell.

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

From: No Results [mailto:members_xl@yahoo.com]
Sent: Sunday, May 13, 2007 9:40 PM
To: xl_members@yahoo.com
Subject: FWD: Roger Hamilton fails in court bid - XL unlawful business?

After over two years of litigation Roger Hamilton (Plaintiff) of Results Foundation failed in court last month.

Roger Hamilton has until the 31st May, 2007 to produce full detailed accounts of the revenue source of the company.

If you are a licensee or an agent and have made commission on the sale of XL Results Foundation memberships you are advised to seek independent legal advice.

Give spam the boot. Take control with tough
<http://us.rd.yahoo.com/evt=47960/*http://advision.webevents.yahoo.com/mailbeta/newmail_html.html> spam protection
in the all-new Yahoo! Mail Beta.

2004, where the only revenue was from the sale of 38 new life memberships. According to the sales report, the New Zealand licensee got a 20% commission on the sale of the life memberships. Exhibit "LR-5"

22. I am now advised and verily believe that it is not lawful to operate a scheme or arrangement for the distribution or purported distribution of a commodity whereby, the person then receives a benefit as a result of the recruitment of more additional participants in the scheme or arrangement. It is clear from the matters described above, that RH, together with the licensees are using the Plaintiffs to operate such a scheme.

Paul Stuart Dunn ("PSD") and Daniel Steven Priestly (DSP") are licensees and part of the scheme

23. Both PSD and DSP are licensees in the same scheme abovementioned, perpetuated and operated by RH through the use of the Plaintiffs as a vehicle.

24. They each have huge financial interest in keeping the scheme and the Plaintiffs surviving. In a way and as I am now advised and verily believe, they together with RH are using the Plaintiffs to suck on and prey on new recruits to the scheme.

66
IN THE SUBORDINATE COURTS OF THE
REPUBLIC OF SINGAPORE

MC24750/2006/D

Between

XL RESULTS FOUNDATION PTE LTD
RC No. 200107729C

...Plaintiff(s)

And

LINDA RUCK
(Australia) PP No. E7081714

...Defendant(s)

INTERROGATORIES

GOH AIK LENG MARK
MARK & DENNIS
20 MAXWELL ROAD
#10-09A
MAXWELL HOUSE
SG 069113
TEL:62222535
FAX:06562226330
Ref: GAL.2542.07

Filed this 26th day of April 2007

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

MC Suit No. 24750 of 2006/D

Between

XL RESULTS FOUNDATION PTE LTD
(RC No. 200107729C)

... Plaintiffs

And

LINDA RUCK
(Australia Passport No. E7081714)

... Defendant

INTERROGATORIES - WITHOUT ORDER

On behalf of the abovenamed Defendant for the examination of the abovenamed Plaintiffs.


1. In each of the years, 2002, 2003, 2004, 2005 and 2006, please provide the Plaintiffs' Financial year-end date/dates.
2. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the aggregate revenue/ income before tax earned by the Plaintiffs.
3. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide a detailed description of the various heads of revenue/ income before tax earned by the Plaintiffs.

4. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the revenue/income before tax earned by the Plaintiffs, in respect of the sales of the Plaintiffs' various membership programmes.
5. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the revenue/income before tax earned by the Plaintiffs, in respect of the ticket sales of the Plaintiffs' seminars, talks, training sessions and events.
6. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the revenue/income before tax earned by the Plaintiffs, in respect of the sales of the Plaintiffs' "XL magazine".
7. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the revenue/income before tax earned by the Plaintiffs, in respect of the sales of the Plaintiffs' books.
8. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the aggregate commissions paid to licensees of the Plaintiffs in respect of the sale of the Plaintiffs' various membership programmes.

9. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the aggregate commissions paid to licensees of the Plaintiffs in respect of the ticket sales of the Plaintiffs' seminars, talks, training sessions and events.
10. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the aggregate commissions paid to licensees of the Plaintiffs in respect of the sales of the Plaintiffs' "XL magazine".
11. In each of the Financial years, 2002, 2003, 2004, 2005 and 2006, please provide the aggregate commissions paid to licensees of the Plaintiffs in respect of the sales of the Plaintiffs' books.

Mr. Roger Hamilton, the director of the Defendants, XL Results Foundation Pte Ltd, is required to answer all interrogatories above by way of an affidavit by 1600hrs on 31st May 2007.

Served the day of 2007


SOLICITORS FOR THE DEFENDANT
M/S MARK & DENNIS
(FILE NO. GAL.2542.07)

To: The Plaintiffs and/or their Solicitors
M/s Drew & Napier
20 Raffles Place
#17-00 Ocean Towers
Singapore 048620
(Ref: WWCS/bl/269108)

<http://statutes.agc.gov.sg>

MULTI-LEVEL MARKETING AND PYRAMID SELLING (PROHIBITION) ACT (CHAPTER 190)

Interpretation

"benefit" includes any gratuity, commission, cross commission, bonus, refund, discount, dividend and any other payment, service or advantage of whatever description, but does not include —

- (a) the purchase of a sample of a commodity furnished at a price not exceeding the cost of the sample and which is not for resale; and
- (b) time and effort spent in pursuit of sales, distribution or recruiting activities;

"commodity" means any goods, service, right or other property, whether tangible or intangible, capable of being the subject of a sale, lease or licence;

"company" means a company as defined in the Companies Act (Cap. 50) and includes a corporation as defined in that Act;

"multi-level marketing scheme or arrangement" has the same meaning as "pyramid selling scheme or arrangement" in this Act;

"promote", with its grammatical variations and cognate expressions, includes to manage, form, operate, carry on, engage in or otherwise to organise;

"pyramid selling scheme or arrangement" means any scheme or arrangement for the distribution or the purported distribution of a commodity whereby —

- (a) a person may in any manner acquire a commodity or a right or a licence to acquire the commodity for sale, lease, licence or other distribution;
- (b) that person receives any benefit, directly or indirectly, as a result of —
 - (i) the recruitment, acquisition, action or performance of one or more additional participants in the scheme or arrangement; or
 - (ii) the sale, lease, licence or other distribution of the commodity by one or more additional participants in the scheme or arrangement; and
- (c) any benefit is or may be received by any other person who promotes, or participates in, the scheme or arrangement (other than a person referred to in paragraph (a) or an additional participant referred to in paragraph (b)).

- 3. - (1) It shall be unlawful for any person to promote or participate in a multi-level marketing scheme or arrangement or a pyramid selling scheme or arrangement or to hold out that he is promoting or participating in such a scheme or arrangement.
- (2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 5 years or to both.

Registration of business which is designed to promote pyramid selling scheme or arrangement prohibited

- 4. - (1) No business which is designed to promote a multi-level marketing scheme or arrangement or a pyramid selling scheme or arrangement shall be registered under any written law relating to the registration of businesses.
- (2) A person who in contravention of subsection (1) obtains registration of a business which is designed to promote a multi-level marketing scheme or arrangement or a pyramid selling scheme or arrangement shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 5 years or to both.

Registration of company which proposes to promote pyramid selling scheme or arrangement prohibited

5. - (1) No company which proposes to promote a multi-level marketing scheme or arrangement or a pyramid selling scheme or arrangement shall be incorporated or registered under the Companies Act (Cap. 50).
- (2) Where a company which is designed to promote a multi-level marketing scheme or arrangement or a pyramid selling scheme or arrangement contravenes subsection (1) by obtaining incorporation or registration under the Companies Act, that company and every officer thereof shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 5 years or to both.

Offences by bodies corporate

6. - (1) If the person committing an offence under this Act is a company, every individual who at the time the offence was committed was a director, general manager, manager, secretary or other officer of the company concerned in the management of the company or who was purporting to act in any such capacity, as well as the company, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (2) It shall be a defence for the individual referred to in subsection (1) if he proves that the offence was committed without his consent or connivance and that he exercised such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions and to all other circumstances.
- (3) For the purpose of this section, "company" includes —
 - (a) any body corporate; and
 - (b) a firm or other association of individuals.
- (4) This section shall be in addition to and not in derogation of any other provisions of this Act.

Penalty to be imposed in addition to other punishment

7. - (1) Where a court convicts any person of committing an offence of promoting or participating in a multi-level marketing scheme or arrangement or a pyramid selling scheme or arrangement under section 3 (2) then —
 - (a) if the person has received any benefit, directly or indirectly, as a result of committing the offence; and
 - (b) if the benefit received by the person is a sum of money or if the value of the benefit can be assessed, the court shall, in addition to imposing on that person any other punishment, order him to pay as a penalty, within such time as may be specified in the order, a sum not exceeding the amount of or, in the opinion of the court, the value of the benefit received by the person, and any such penalty shall be recoverable as a fine.
- (2) In determining the amount of the penalty that a person, being a participant, shall be required to pay under subsection (1), the court may take into account any benefit that the person may have given for the right to participate in the multi-level marketing scheme or arrangement or the pyramid selling scheme or arrangement, as the case may be, or any loss that the person may have incurred as a result of such participation.
- (3) Where a person charged with any offence under section 3 (2) is convicted of one or more offences under any other written law, and the outstanding offences are taken into consideration by the court under section 178 of the Criminal Procedure Code (Cap. 68) for the purpose of passing sentence, the court may impose the penalty mentioned in subsection (1) for any offence under this Act so taken into consideration.
- (4) Nothing in subsection (1) shall prejudice or affect any right which any person may have under any written law or rule of law to recover damages from the person referred to in subsection (1).

Jurisdiction of District Courts

8. Notwithstanding the Criminal Procedure Code, a District Court shall have jurisdiction to try any offence under this Act or any regulations made there-under and may impose the full penalty or punishment in respect of such offence.

From: No Results [mailto:members_xl@yahoo.com]
Sent: Monday, June 11, 2007 6:08 PM
To: members@resultsfoundation.com
Subject: XL Results Foundation deemed suspect by Australian media (Fairfax media report)

FWD: XL faces mass refunds as pyramid scheme unravels. XL fails to submit detailed accounts as requested by the court.

Australian media warn community against suspect wealth creation network XL Results Foundation.

<<http://www.brisbanetimes.com.au/articles/2007/05/30/1180205312469.html>>
<http://www.brisbanetimes.com.au/articles/2007/05/30/1180205312469.html>

Image removed by sender.

Suspect 'wealth creation' network in Brisbane
 Georgina Robinson | May 30, 2007 - 2:01PM

A global business networking scheme that's under a legal and financial cloud in Singapore will target Brisbane investors in seminars tonight and tomorrow morning.

Results Net Australia is the Australian arm of XL Results Foundation, a business coaching club that purports to generate "wealth beyond words" for its members at the same time as working to eradicate poverty.

Consumers pay \$US8600 to join as life members in return for access to online networks, mentoring and coaching seminars.

Members can on-sell their memberships after one year, but about 69 life members in Singapore last year were refunded their money, claiming they were duped by Foundation director, Roger Hamilton.

Forty of the disgruntled members defied Singaporean law, which bans public demonstrations, to march on the company's office and deliver their demands in writing.

They claimed they were led to believe their memberships would appreciate in value and generate a profit upon selling, and that the company would help them find buyers for the memberships.

However, they said when they wanted to sell they could not.

The members also alleged they did not get access to the extensive network of business contacts the scheme promised.

Paul Dunn, the head of the company's Australian arm, said there was nothing unusual about the refunds.

"I've been in business and speaking for 27 years and people trust me," he said.

"If, for whatever reason, we don't deliver value for money for the customer then they shouldn't pay for that."

The company, formerly known as Competitive Edge, currently has 640 members in Australia and about 1000 worldwide.

In the 2005-2006 financial year it reported a \$207,600 net profit.

Two complaints against the company have been lodged with the state government's Office of Fair Trading but investigations did not revealed any legal breaches.

It is understood the New South Wales Office of Fair Trading has received a complaint against the company.

In Brisbane this evening the company has invited people to listen for free to Mr Hamilton - a millionaire author and the company's founder - to give a "Wealth Dynamics" address at an inner-city hotel.

It will be followed by a breakfast seminar tomorrow morning where guests will be briefed on the company's "extraordinary vision towards 'binding' entrepreneurs together to eliminate poverty on our planet".

Queensland Fair Trading Minister Margaret Keech said people should be wary of "get rich quick" schemes.

"People are sometimes lured into these schemes by free breakfast, lunch or dinner conferences and promises of wealth," Ms Keech said.

"The sting comes at the end of the conference when people are asked to pay thousands of dollars to sign up for the 'advanced course'."

Ms Keech said wealth creation seminars were notoriously high-risk. She warned people not to commit to sales on the day of seminars and to seek independent financial and legal advice.

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<http://www.brisbanetimes.com.au/articles/2007/05/30/1180205312469.html>

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For contacts refer: <<http://rogerhamiltonexposed.wordpress.com/>>
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 For more information please visit <http://www.messagelabs.com/email>

From: No Results [mailto:members_xl@yahoo.com]
 Sent: Monday, June 11, 2007 6:09 PM
 To: irene.millar@resultsfoundation.com
 Subject: XL Results Foundation deemed suspect by Australian media (Fairfax media report)

FWD: XL faces mass refunds as pyramid scheme unravels. XL fails to submit detailed accounts as requested by the court.

Australian media warn community against suspect wealth creation network XL Results Foundation.

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From: No Results [mailto:members_xl@yahoo.com]
Sent: Tuesday, June 12, 2007 10:19 PM
To: roger@rogerhamilton.com; members@resultsfoundation.com
Subject: XL Results Foundation deemed suspect by Australian media (Fairfax media)

FWD: XL faces mass refunds as pyramid scheme unravels. XL fails to submit detailed accounts as requested by the court.

Australian media warn community against suspect wealth creation network XL Results Foundation.

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For more information please visit <http://www.messagelabs.com/email>

From: Alex Lee [mailto:alex_lee@yahoo.com]
Sent: Monday, 18 June 2007 5:41 PM
To: john.abbott@platforminteractive.com.au
Subject: Affidavit

Hi John

Who has been fired by their lawyer?

Sounds like you have been duped as well. Roger Hamilton and Paul Dunn are running an illegal pyramid scheme. Perhaps you should ask good questions like why are your membership fees are going in legal fees to keep the company from the scrutiny of an open court.

THIS IS THE EXHIBIT MARKED " *RJH-21* "
REFERRED TO IN THE AFFIDAVIT
OF *Roger James Hamilton*
SWORN/AFFIRMED THIS DAY
OF 20

BEFORE ME

A COMMISSIONER FOR OATHS

INDEX SEARCH RESULTS

84

Index Search Results

Index Search Result for Case No. MC/24750/2006/D

File Reference No. :WWCS/269088

Court Indicator :Magistrate Court

Fee charged for this search :S\$8.00

Date/Time Searched :29-06-2007 12:19:08 P

Date/Time of last database update :29-06-2007 11:06:10 AM

*Note: "N.A." denotes that the data item is not applicable to the document.**"-" denotes that the data item is not viewable by the Law Firms.*

S/No. : 1
Document Control Number : 4399493F
Document Description : Writ of Summons
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 10/10/2006 11:04:16
Version No : 0
Date/Time Accepted : 10/10/2006 02:36:10
Document Status : Accepted
No. of Pages : 11
Document Nature : Electronic
Document Number : -

S/No. : 2
Document Control Number : 4402547B
Document Description : Memorandum of Service
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 11/10/2006 10:04:42
Version No : 0
Date/Time Accepted : 11/10/2006 10:24:59
Document Status : Accepted
No. of Pages : 2
Document Nature : Electronic
Document Number : -

S/No. : 3
Document Control Number : 4415313C
Document Description : Memorandum of Appearance
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : LEGAL21 LLC
Date/Time Filed : 17/10/2006 12:48:19
Version No : 0
Date/Time Accepted : 18/10/2006 09:36:37
Document Status : Accepted
No. of Pages : 2
Document Nature : Electronic
Document Number : -

S/No. : 4
Document Control Number : 4444812F
Document Description : Defence
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : LEGAL21 LLC
Date/Time Filed : 01/11/2006 09:20:14
Version No : 0
Date/Time Accepted : 01/11/2006 02:23:51
Document Status : Accepted
No. of Pages : 4
Document Nature : Electronic

Document Number : -

S/No. : 5
Document Control Number : 4478496A
Document Description : Reply
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 15/11/2006 02:50:06
Version No : 0
Date/Time Accepted : 15/11/2006 05:41:48
Document Status : Accepted
No. of Pages : 4
Document Nature : Electronic
Document Number : -

S/No. : 6
Document Control Number : 4562367C
Document Description : Summons (O.14, O.18 r.19, O.33 r.2)
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 27/12/2006 10:53:02
Version No : 0
Date/Time Accepted : 27/12/2006 12:09:38
Document Status : Accepted
No. of Pages : 3
Document Nature : Electronic
Document Number : SUM/18812/2006/J

S/No. : 7
Document Control Number : 4562368D
Document Description : Affidavit
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 27/12/2006 10:53:02
Version No : 0
Date/Time Accepted : 27/12/2006 12:09:54
Document Status : Accepted
No. of Pages : 45
Document Nature : Electronic
Document Number : -

S/No. : 8
Document Control Number : 4562372L
Document Description : Affidavit
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 27/12/2006 10:53:02
Version No : 0
Date/Time Accepted : 27/12/2006 12:09:54
Document Status : Accepted
No. of Pages : 180
Document Nature : Electronic
Document Number : -

S/No. : 9
Document Control Number : 4563030G
Document Description : Affidavit
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 27/12/2006 02:44:14
Version No : 0
Date/Time Accepted : 28/12/2006 08:57:12
Document Status : Accepted

No. of Pages : 28
Document Nature : Electronic
Document Number : -

S/No. : 10
Document Control Number : 4636570L
Document Description : Written Submissions
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 01/02/2007 11:23:02
Version No : 0
Date/Time Accepted : 01/02/2007 01:59:16
Document Status : Accepted
No. of Pages : 31
Document Nature : Electronic
Document Number : -

S/No. : 11
Document Control Number : 4655055C
Document Description : Notice of Intention to act in person
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : LEGAL21 LLC
Date/Time Filed : 09/02/2007 02:22:27
Version No : 0
Date/Time Accepted : 09/02/2007 02:37:25
Document Status : Accepted
No. of Pages : 2
Document Nature : Electronic
Document Number : -

S/No. : 12
Document Control Number : 4666511D
Document Description : Affidavit
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : FILED IN PERSON
Date/Time Filed : 14/02/2007 08:42:19
Version No : 0
Date/Time Accepted : 15/02/2007 12:05:37
Document Status : Accepted
No. of Pages : 58
Document Nature : Electronic
Document Number : -

S/No. : 13
Document Control Number : 4691351A
Document Description : Affidavit
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 01/03/2007 04:54:56
Version No : 0
Date/Time Accepted : 01/03/2007 05:42:55
Document Status : Accepted
No. of Pages : 7
Document Nature : Electronic
Document Number : -

S/No. : 14
Document Control Number : 4691352B
Document Description : Summons (Normal)
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 01/03/2007 04:54:56
Version No : 0

Date/Time Accepted : 01/03/2007 05:42:51
Document Status : Accepted
No. of Pages : 3
Document Nature : Electronic
Document Number : SUM/3013/2007/Q

S/No. : 15
Document Control Number : 4708767K
Document Description : Notice of Appointment of Solicitor
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK & DENNIS
Date/Time Filed : 09/03/2007 02:49:07
Version No : 0
Date/Time Accepted : 12/03/2007 08:20:57
Document Status : Accepted
No. of Pages : 2
Document Nature : Electronic
Document Number : -

S/No. : 16
Document Control Number : 4723510K
Document Description : Written Submissions
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 16/03/2007 02:42:22
Version No : 0
Date/Time Accepted : 16/03/2007 03:11:15
Document Status : Accepted
No. of Pages : 32
Document Nature : Electronic
Document Number : -

S/No. : 17
Document Control Number : 4724791D
Document Description : Request for File Inspection
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK & DENNIS
Date/Time Filed : 16/03/2007 06:16:10
Version No : 0
Date/Time Accepted : 19/03/2007 02:59:32
Document Status : Accepted
No. of Pages : 1
Document Nature : Electronic
Document Number : -

S/No. : 18
Document Control Number : 4729655F
Document Description : Summons (Normal)
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK & DENNIS
Date/Time Filed : 20/03/2007 02:35:54
Version No : 0
Date/Time Accepted : 20/03/2007 04:32:41
Document Status : Accepted
No. of Pages : 3
Document Nature : Electronic
Document Number : SUM/4019/2007/Z

S/No. : 19
Document Control Number : 4751265A
Document Description : Affidavit
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK & DENNIS

Date/Time Filed : 29/03/2007 03:04:44
Version No : 0
Date/Time Accepted : 29/03/2007 03:53:27
Document Status : Accepted
No. of Pages : 48
Document Nature : Electronic
Document Number : -

S/No. : 20
Document Control Number : 4754305D
Document Description : Request For Production Of File For Hearing
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 30/03/2007 03:03:03
Version No : 0
Date/Time Accepted : 02/04/2007 09:44:13
Document Status : Accepted
No. of Pages : 1
Document Nature : Electronic
Document Number : -

S/No. : 21
Document Control Number : 4754329A
Document Description : Notice Under O.32 R13 Of RSC
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 30/03/2007 03:04:30
Version No : 0
Date/Time Accepted : 30/03/2007 04:08:43
Document Status : Accepted
No. of Pages : 2
Document Nature : Electronic
Document Number : -

S/No. : 22
Document Control Number : 4810519H
Document Description : Interrogatories
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK & DENNIS
Date/Time Filed : 26/04/2007 04:18:13
Version No : 0
Date/Time Accepted : 27/04/2007 12:23:10
Document Status : Accepted
No. of Pages : 5
Document Nature : Electronic
Document Number : -

S/No. : 23
Document Control Number : 4818441B
Document Description : Summons For Directions
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 02/05/2007 11:47:36
Version No : 0
Date/Time Accepted : 02/05/2007 11:59:21
Document Status : Accepted
No. of Pages : 4
Document Nature : Electronic
Document Number : SUM/6190/2007/A

S/No. : 24
Document Control Number : 4832194C
Document Description : Summons (Normal)
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD

1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 08/05/2007 04:48:34
Version No : 0
Date/Time Accepted : 09/05/2007 10:09:01
Document Status : Accepted
No. of Pages : 3
Document Nature : Electronic
Document Number : SUM/6578/2007/A

S/No. : 25
Document Control Number : 4832195D
Document Description : Affidavit
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 08/05/2007 04:48:34
Version No : 0
Date/Time Accepted : 09/05/2007 10:09:06
Document Status : Accepted
No. of Pages : 4
Document Nature : Electronic
Document Number : -

S/No. : 26
Document Control Number : 4834471B
Document Description : Notice of Change of Solicitor
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK GOH & CO
Date/Time Filed : 09/05/2007 02:24:39
Version No : 0
Date/Time Accepted : 09/05/2007 05:33:43
Document Status : Accepted
No. of Pages : 2
Document Nature : Electronic
Document Number : -

S/No. : 27
Document Control Number : 4856059A
Document Description : Summons (Normal)
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 18/05/2007 04:01:44
Version No : 0
Date/Time Accepted : 19/05/2007 09:55:47
Document Status : Accepted
No. of Pages : 13
Document Nature : Electronic
Document Number : SUM/7261/2007/C

S/No. : 28
Document Control Number : 4856061F
Document Description : Affidavit
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 18/05/2007 04:01:44
Version No : 0
Date/Time Accepted : 19/05/2007 09:55:55
Document Status : Accepted
No. of Pages : 4
Document Nature : Electronic
Document Number : -

S/No. : 29
Document Control Number : 4878624D

Document Description : Affidavit
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK GOH & CO
Date/Time Filed : 30/05/2007 10:11:41
Version No : 0
Date/Time Accepted : 30/05/2007 02:21:55
Document Status : Accepted
No. of Pages : 4
Document Nature : Electronic
Document Number : -

S/No. : 30
Document Control Number : 4882374H
Document Description : Written Submissions
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 01/06/2007 11:25:55
Version No : 0
Date/Time Accepted : 01/06/2007 12:28:33
Document Status : Accepted
No. of Pages : 8
Document Nature : Electronic
Document Number : -

S/No. : 31
Document Control Number : 4894269K
Document Description : List of documents / Supplementary List
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 07/06/2007 11:56:06
Version No : 0
Date/Time Accepted : 07/06/2007 02:37:19
Document Status : Accepted
No. of Pages : 8
Document Nature : Electronic
Document Number : -

S/No. : 32
Document Control Number : 4894273F
Document Description : Notice to Admit Facts
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 07/06/2007 11:56:06
Version No : 0
Date/Time Accepted : 07/06/2007 02:41:51
Document Status : Accepted
No. of Pages : 12
Document Nature : Electronic
Document Number : -

S/No. : 33
Document Control Number : 4894271D
Document Description : Affidavit Verifying List of Documents
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 07/06/2007 11:56:06
Version No : 0
Date/Time Accepted : 07/06/2007 02:37:32
Document Status : Accepted
No. of Pages : 11
Document Nature : Electronic
Document Number : -

S/No. : 34

Document Control Number : 4894972D
Document Description : Affidavit Verifying List of Documents
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK GOH & CO
Date/Time Filed : 07/06/2007 03:04:14
Version No : 0
Date/Time Accepted : 07/06/2007 03:32:29
Document Status : Accepted
No. of Pages : 8
Document Nature : Electronic
Document Number : -

S/No. : 35
Document Control Number : 4895004B
Document Description : List of documents / Supplementary List
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK GOH & CO
Date/Time Filed : 07/06/2007 03:09:41
Version No : 0
Date/Time Accepted : 07/06/2007 03:16:25
Document Status : Accepted
No. of Pages : 5
Document Nature : Electronic
Document Number : -

S/No. : 36
Document Control Number : 4909620H
Document Description : Statement of Claim
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 14/06/2007 02:21:12
Version No : 1
Date/Time Accepted : 14/06/2007 02:30:45
Document Status : Accepted
No. of Pages : 11
Document Nature : Electronic
Document Number : -

S/No. : 37
Document Control Number : 4914124D
Document Description : Order of Court obtained in chambers
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 15/06/2007 07:15:16
Version No : 0
Date/Time Accepted : 16/06/2007 10:06:42
Document Status : Accepted
No. of Pages : 3
Document Nature : Electronic
Document Number : -

S/No. : 38
Document Control Number : 4914125E
Document Description : Order of Court obtained in chambers
1st Filing Party Name : XL RESULTS FOUNDATION PTE LTD
1st Filing Party Type : Plaintiff
1st Filing Party Law Firm : DREW & NAPIER LLC
Date/Time Filed : 15/06/2007 07:15:16
Version No : 0
Date/Time Accepted : 16/06/2007 10:06:49
Document Status : Accepted
No. of Pages : 3
Document Nature : Electronic
Document Number : ORC/8573/2007/A

S/No. : 39
Document Control Number : 4914608H
Document Description : Affidavit
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK GOH & CO
Date/Time Filed : 18/06/2007 10:15:08
Version No : 0
Date/Time Accepted : 18/06/2007 10:46:09
Document Status : Accepted
No. of Pages : 6
Document Nature : Electronic
Document Number : -

S/No. : 40
Document Control Number : 4935624L
Document Description : Notice to Produce documents referred to in Pleadings or Affidavits
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK GOH & CO
Date/Time Filed : 27/06/2007 12:50:49
Version No : 0
Date/Time Accepted : 27/06/2007 05:39:06
Document Status : Accepted
No. of Pages : 4
Document Nature : Electronic
Document Number : -

S/No. : 41
Document Control Number : 4935625A
Document Description : Defence
1st Filing Party Name : LINDA RUCK
1st Filing Party Type : Defendant
1st Filing Party Law Firm : MARK GOH & CO
Date/Time Filed : 27/06/2007 12:50:49
Version No : 1
Date/Time Accepted : 27/06/2007 05:39:14
Document Status : Accepted
No. of Pages : 4
Document Nature : Electronic
Document Number : -

S/No. : 42
Document Control Number : -
Document Description : -
1st Filing Party Name : -
1st Filing Party Type : -
1st Filing Party Law Firm : -
Date/Time Filed : -
Version No : -
Date/Time Accepted : -
Document Status : -
No. of Pages : -
Document Nature : -
Document Number : -

S/No. : 43
Document Control Number : -
Document Description : -
1st Filing Party Name : -
1st Filing Party Type : -
1st Filing Party Law Firm : -
Date/Time Filed : -
Version No : -
Date/Time Accepted : -
Document Status : -
No. of Pages : -

93

Document Nature : -
Document Number : -

S/No. : 44
Document Control
Number : -
Document Description : -
1st Filing Party Name : -
1st Filing Party Type : -
1st Filing Party Law Firm : -
Date/Time Filed : -
Version No : -
Date/Time Accepted : -
Document Status : -
No. of Pages : -
Document Nature : -
Document Number : -

S/No. : 45
Document Control
Number : -
Document Description : -
1st Filing Party Name : -
1st Filing Party Type : -
1st Filing Party Law Firm : -
Date/Time Filed : -
Version No : -
Date/Time Accepted : -
Document Status :

THIS IS THE EXHIBIT MARKED " *RJH 22* "
REFERRED TO IN THE AFFIDAVIT
OF *Roger James Hamilton*
SWORN/AFFIRMED THIS DAY
OF 20
BEFORE ME

A COMMISSIONER FOR OATHS

From: Linda Ruck [<mailto:linda.ruck@pacific.net.sg>]
Sent: Thursday, May 17, 2007 9:42 PM
To: Teguh Budimulia
Subject: Re: Hello from Linda

Linda Ruck Legal Situation Update
3rd May, 2007

After more than two years of litigation, Roger Hamilton of XL Results Foundation Pte Ltd failed in his summary judgment bid against Linda Ruck.

Linda Ruck is represented by lawyer, Mark Goh (Mark Goh & Co, Advocates & Solicitors, Singapore Ph: +65 6222 2535).

On the 7th April, 2007 Linda Ruck's affidavit was accepted by the judge in its entirety and is now a public document. The affidavit has opened up specific questions regarding the company and its sources of revenue.

Any individual considering investing in XL Results Foundation Pte Ltd are advised to ask 'good questions' as part of the due diligence process.

Questions posed include: Where is the company's principal revenue source coming from?

- A) Book Sales
- B) Magazine Sales
- C) Seminar Sales ;or
- D) Life Membership Sales

Can the revenue from book sales, magazine sales and seminar sales, be much when they are given free to life members?

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CC: L Bathmavathi

**IN THE SUBORDINATE COURTS OF THE
REPUBLIC OF SINGAPORE**

MC24750/2006/D

Between

XL RESULTS FOUNDATION PTE LTD
RC No. 200107729C

...Plaintiff(s)

And

LINDA RUCK
(Australia) PP No. E7081714

...Defendant(s)

AFFIDAVIT

WONG CHIN SOON WILSON
DREW & NAPIER LLC
20 RAFFLES PLACE
#17-00 OCEAN TOWERS
SINGAPORE 048620
TEL:65350733
FAX:06565327149
Ref: WWCS/269088/kg

Filed this 2nd day of July 2007