

Mail from the attorney of CW, Mr. Heuvelmans to Doris Lin, manager at CW
Date: October 15, 2018

Hello Doris,

It seems that this is an ultimate attempt from Eltjo Vos to get any payment from CW, now that he has found out that his verdict is useless.

This is a clear example of "naming and shaming" in order to blackmail First Seiko, to pay the bills of CW.

Vos is angry as he comes to the conclusion that CW has no longer any business in Europe, so Vos can not to execute his verdict in Europe.

And he can not execute his verdict against CW in China, as there is no treaty between China and The Netherlands.

The only thing that Vos can do is to start a legal action against First Seiko and mr. Hseih in Taiwan. This will cost him a lot of time and money and the outcome of a procedure in Taiwan is uncertain. Perhaps Vos may even not get a verdict as the Taiwan law may not fit for claims like this.

What Vos need is a new verdict from a Dutch court against First Seiko an mr. Hseih, in order to execute this new verdict against the clients of First Seiko in Europe.

But Vos can not summon First Seiko in a Dutch court, as Vos and First Seiko don't have an agreement, nor any other mutual obligation.

The only reproach from Vos to First Seiko is that First Seiko has intentionally harmed the interest of Vos, by taking over the business from CW in Europe, knowing that Vos has a verdict on CW.

Under Dutch law this is considered an act of tort under specific circumstances.

The Dutch court may identify First Seiko as the same party as CW and give a new verdict to Vos against First Seiko.

For that reason this action must be avoided.

Vos has no possibilities to summon First Seiko before a dutch court.

Instead Vos can try to instigate that First Seiko starts a procedure against him in The Netherlands before a Dutch court.

If First Seiko and mr. Hseih want a verdict agains Vos to prohibit him his unlawfull actions, First Seiko and mr. Hseih have to summon Vos before a Dutch court.

Once that procedure is pending in court, Vos may file a counter-claim against First Seiko. If the Dutch court follows Vos in his action, Vos may get a new verdict against First Seiko, that can be executed in Europe.

It seems to me that the actions from Vos on the internet, are a trigger for First Seiko and mr. Hseih to instigate that they will start this procedure in a Dutch court.

Of course these actions are unlawfull and shaming and the fact that Vos send the email adress to First Seiko clients is blunt and irritating.

But in that order, a new procedure from First Seiko and mr. Hseih, might be a preconceived plan from Vos and it could be a dangerous action.

What steps can be taken?

I could write a letter to Vos and his lawyer, to summon Vos to stop his unlawful actions, remove the website from the internet, and inform all informed clients accordingly. Vos may answer that he is not willing and that First Seiko and mr. Hseih can start a legal procedure against him if they intend.

First Seiko and mr. Hseih can start a short term procedure against Vos in order to ask the judge to forbid Vos to continue his actions. But they might face the counter-claim from Vos and he might have the victory in the second place. That is a risk that must be taken seriously.

Another option is that First Seiko will do nothing against Vos in court, but instead inform all First Seiko clients about the ridiculous and poor action from a frustrated man, who thought he won, but in a material manner lost his case. Time will heal wounds in that situation.

I want to ask you to consider the potential risks of a new Dutch procedure against Vos, and give me instructions how to act.

Kind regards,

Marc Heuvelmans
attorney-at-law

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