

**IS THIS MEANT TO BE A JOKE;
OR, IS IT FOR REAL ?**

Whenever a Legal Action is lodged in any court of the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC), it should be taken very seriously because, otherwise, it makes a mockery of the entire legal system of the territory.

But in the case of Action Number 1551, lodged in the District Court of the HKSAR, one has to scratch one's head of absolute amazement.

Here is a Writ of Summons, Statement of Claim attached, with no real address of the First Defendant and/or the Second Defendant except for a city in The United States of America, and without even the name of the First Defendant, only an initial by which it is generally known on television: CNN.

Further, the Writ of Summons is addressed to the Defendants in Atlanta, Georgia, The United States of America, but it is stamped: ***'NOT FOR SERVICE OUT OF THE JURISDICTION'***.

The Plaintiff to the Action is Party for the Civic Rights and Livelihood of the People of Hongkong Ltd ().

The Defendants are:

CNN	First Defendant
Jack Cafferty	Second Defendant

The Statement of Claim, attached to the Writ of Summons, alleges:

'The Plaintiff's claim is for

- '1. At all material times, the Plaintiff was and is a limited company incorporated and registered in Hong Kong carrying out activities, inter alia, political activities of monitoring the activities of the Government and business entities in the Hong Kong Special Administrative Region, and comprises Chinese people as members.*
- '2. At all material times, the 1st Defendant was and is a corporation incorporated and registered in the United States of America publishing, inter alia, a programme titled The Situation Room which is available also to Hong Kong citizens.*
- '3. At all material times, the 2nd Defendant was and is an agent of the 1st Defendant responsible for publishing commenting political activities.*
- '4. On the 9th day of April 2008, the 2nd Defendant published in The Situation Room the following: "the US imported Chinese-made junk with the lead paint on them and the poisoned pet food" and "I think they're basically the same bunch of goons and thugs they've been for the last 50 years."*
- '5. The Plaintiff avers that such words of the 2nd Defendant amount to libel against the Plaintiff inter alia, all Chinese on earth in that they injured the reputation of all Chinese which include the Plaintiff, which tend to lower all Chinese including the Plaintiff in the estimate of right-thinking members of the world of hatred, contempt, ridicule(sic), fear, dislike or disesteem against them.*

- '6. *The Plaintiff hereby invokes the doctrine of vicarious liability in respect of the said conduct of the 2nd Defendant against the 1st Defendant.*
- '7. *The Plaintiff relies on provisions in section 22 of the Defamation Ordinance, Cap. 21 and avers that the said conduct of the 1st Defendant on behalf of the 1st Defendant amounts to publication in permanent form.*
- '8. *The Plaintiff avers that the conduct of the 2nd Defendant on behalf of the 1st Defendant amounts to heinous conduct in that it provokes race discrimination and justifies the Plaintiff in claiming for damages on exemplary basis.*
- '9. *The Plaintiff avers that the days of "Chinese and dogs are prohibited to enter" more than 50 years ago are gone forever, we are now powerful and respectable nation contributing towards the goodness of other nations and world peace.*
- '10. *Right to amend the writ and statement of claim herein is reserved after further researches prior to application for substituted service hereinafter to be made.*
- '11. *AND the Plaintiff claims:*
 - a. The Defendants publish an apology in form and at place to the Plaintiff's satisfaction;*
 - b. The Defendants do undertake not to publish any defamatory statements against the Chinese in the future;*
 - c. An injunction compelling the 1st Defendant never to employ the 2nd Defendant in the future;*
 - d. damages to the Plaintiff on exemplary basis to the maximum permitted by this Honourable Court, the Plaintiff hereby waives any excess amount it is entitled in law above the jurisdiction of this Honourable Court;*
 - e. other remedies this Honourable Court shall deem appropriate;*
 - f. costs.'*

The Plaintiff to this Action comprises the following principle actors:

Mr Alan Leong Kah Kit ()	Barrister
Mr Albert Lai Kwong Tak ()	Chartered Engineer
Ms Audrey Eu Yuet Mee ()	Barrister
Ms Claudia Mo Man Ching ()	Journalist
Dr Fernando Cheung Chiu Hung ()	Lecturer of the Hongkong Polytechnic University
Dr Kuan Hsin Chi ()	Professor at the Chinese University of Hongkong
Mr Joseph Cheng Yu Shek ()	Professor at the City University of Hongkong
Ms Gladys Vernonic Li ()	Barrister
Ms Mandy Tam Heung Man ()	Accountant
Ms Margaret Ng Ngoi Yee ()	Barrister
Dr Mark Williams ()	Associate Professor of Law at Hongkong Polytechnic University
Mr Vincent Ng Wing Shun ()	Registered Architect
Mr Ronny Tong Ka Wah ()	Barrister
Ms Amy Yung Wing Sheung ()	Accountant

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