

LITIGATION IN CONNECTION TO THE AGRICULTURAL LAND HELD UNDER TITLE NO. CL095330724 MEASURING APPROXIMATELY 8,830 HECTARES SITUATED AT SUNGAI TONGOD, DISTRICT OF KINABATANGAN, SANDAKAN, SABAH (“THE TONGOD LAND”) BY ASIATIC TANJUNG BAHAGIA SDN BHD (“ATBSB”), A WHOLLY OWNED SUBSIDIARY OF ASIATIC DEVELOPMENT BERHAD (“THE COMPANY”)

Reference is made to our announcements dated 30 October 2002, 27 November 2002, 27 February 2003, 28 May 2003 and 13 June 2003 in respect of the legal suit filed in the High Court of Sabah and Sarawak (“the Court”) at Kota Kinabalu Suit No. K22-245 of 2002 wherein the Company and ATBSB were named as the Second Defendant and Third Defendant respectively (“the Suit”). The Suit was instituted by certain natives (“the Plaintiffs”) claiming Native Customary Rights over the Tongod Land or part thereof which was acquired by ATBSB from Hap Seng Consolidated Berhad (“HSCB”), the First Defendant to the Suit.

The Plaintiffs had also applied for an interlocutory injunction to restrain the Company and ATBSB from entering, trespassing, clearing, using or occupying the Tongod Land or part thereof (“the Injunction”). At the hearing held on 5 July 2004 on the Injunction application, the Company, ATBSB and HSCB had raised a preliminary objection against the Suit (“the Preliminary Objection”) in that the Court has no original jurisdiction to determine native customary rights claims.

The Board of Directors wishes to announce that the Court had on 20 June 2008 upheld the Preliminary Objection with costs awarded to the Defendants.

TAN SRI MOHD AMIN BIN OSMAN
Chairman
Asiatic Development Berhad