



บริษัท กุลธอร์นบี้ จำกัด (มหาชน)

KULTHORN KIRBY PUBLIC COMPANY LIMITED

ทะเบียนเลขที่ 0107537002150
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LEADING MANUFACTURER IN HERMETIC COMPRESSOR FOR REFRIGERATION & AIR CONDITIONING SINCE 1980

No. 0187/2024

20 September 2024

Subject: Notification of the Company being sued in a civil case

Attention: Director and Manager
The Stock Exchange of Thailand

Kulthorn Kirby Public Company Limited (the "**Company**") would like to inform that on 14 September 2024, the Company and its subsidiaries, including (a) Kulthorn Kirby Foundry Company Limited, (b) Kulthorn Premier Company Limited, (c) Kulthorn Steel Company Limited, (d) Kulthorn Materials and Controls Company Limited, and (e) Kulthorn Metal Products Company (collectively referred to as the "**Subsidiaries**"), received a summons and a copy of a civil complaint from the Civil Court. The lawsuit was filed by Industrial and Commercial Bank of China (Thai) Public Company Limited (the "**Plaintiff**"), a financial institution creditor of the Company and the Subsidiaries, for defaulting on a loan repayment under the Credit Facility Agreement dated 16 December 2016, along with the Fifth Amendment Agreement to the Credit Facility Agreement dated 23 June 2023 (collectively referred to as the "**Syndicated Loan Agreement**").

In this case, the Plaintiff has filed a civil case to claim damages totaling THB 93,394,775.81, along with the interest at a rate of 8.61750 percent per annum on the principal loan amount of THB 86,802,519.16, from the day following the filing date until the Company and the Subsidiaries fully repay the debt to the Plaintiff. Additionally, if the Company and the Subsidiaries fail to repay the debt, the Plaintiff will proceed to seize the land and buildings of the Company and the Subsidiaries, which were mortgaged as collateral under the Syndicated Loan Agreement and sell them at auction to settle the debt with the Plaintiff in full. The land and buildings mortgaged as collateral are the locations of the factory and offices of the Company and some of the Subsidiaries. This case involves the Company's default on the debt repayment, which the Company has disclosed and reported in detail to investors and the Stock Exchange of Thailand.

In this civil case, the Company already filed the statements of defence to the Court on 11 October 2024. The Court already determined the disputed issues with both Parties on 19 November 2024 and made the appointment for both Parties to negotiate for mediation on 23 December 2024. The Company will proceed with its defense in accordance with the legal procedures. Any further developments will be announced in due course.

Please be informed accordingly.



Sincerely yours,

(Mr. Sutee Simakulthorn)

President

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