

## Tokyo district court 2013(wa)24586

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| Date of the judgment      | 4/24/2014  |
| Case number               | 2013(wa)24586  |
| Presiding Judge           | Mitiyo Nagayama<br>Civil Chamber 32, Tokyo Direct Court  |
| Title                     | Judgment concerning the case, which plaintiff bought real estate in Cambodia was organized fraud by defendants, and got compensation of damages.   |
| Case name                 | Case to seek damages   |
| Plaintiff                 | Woman who was 73 years old   |
| Defendants                | Universal Max Co., Ltd.<br>FIRST Fudosan Co., Ltd.<br>Yonezawa(Representative director of those company)   |
| References                | <p>【Article 709 of the Civil Code】 A person who has intentionally or negligently infringed any right of others, or legally protected interest of others, shall be liable to compensate any damages resulting in consequence.</p> <p>【Article 350 Companies Act】 A Stock Company shall be liable for damage caused to third parties by its Representative Directors or other representatives during the course of the performance of their duties.</p> <p>【Article 429 I Companies Act】 If Officers, Etc. are with knowledge or grossly negligent in performing their duties, such Officers, Etc. shall be liable to a third party for damages arising as a result thereof.</p> |
| Main text of the decision | Defendants jointly and severally shall pay to the plaintiff the total of 7,590,000 yen and 5% to the same amount calculated from June 12, 2012 until completion of the payment herein.   |
| Summary of the Reasons    | Plaintif bought real estate in Cambodia, which was organized fraud by defendants   |
| Appeal                    | No Appeal  |