

**IN THE MATTER OF  
EVERGRANDE REAL ESTATE GROUP LIMITED  
AND ITS LISTED SECURITIES (STOCK CODE: 3333)**

**NOTICE TO THE MARKET MISCONDUCT TRIBUNAL  
PURSUANT TO SECTION 252(2) AND SCHEDULE 9 OF THE  
SECURITIES AND FUTURES ORDINANCE (CAP. 571)  
("ORDINANCE")**

Whereas it appears to the Securities and Futures Commission that market misconduct within the meaning of section 277 of Part XIII of the Ordinance has or may have taken place in relation to the securities of Evergrande Real Estate Group Limited (Stock Code: 3333) listed on the Stock Exchange of Hong Kong Limited, the Market Misconduct Tribunal is hereby required to conduct proceedings and determine:

- (a) whether any market misconduct has taken place;
- (b) the identity of any person who has engaged in the market misconduct; and
- (c) the amount of any profit gained or loss avoided as a result of the market misconduct.

**Person Specified**

Andrew Edward Left

(hereinafter called the “**Specified Person**”)

1. Evergrande Real Estate Group Limited (“**Evergrande**”) was incorporated in the

Cayman Islands on 26 June 2006. It was registered as a non-Hong Kong company in Hong Kong under Part XI of the Companies Ordinance.

2. On 5 November 2009, its shares were listed on the Stock Exchange of Hong Kong Limited (“**Exchange**”) with a stock code of 3333. They remained so listed on Thursday 21<sup>st</sup> June 2012.
3. On 21 June 2012, a trading day on the Exchange, at around 10.15 a.m., the Specified Person disclosed, circulated or disseminated information or authorized or was concerned in the disclosure, circulation or dissemination of information pertaining to Evergrande by posting a report on the website of Citron Research [www.citronresearch.com](http://www.citronresearch.com) (“**Citron Report**”).
4. The Citron Report pertained to Evergrande and was negative in the sense that it stated, *inter alia*, that the company was insolvent and had consistently presented fraudulent information to the investing public.
5. The information in the Citron Report (“**Information**”) was false or misleading as to a material fact, or was false or misleading through the omission of a material fact: the company was not insolvent and nor had it consistently presented fraudulent information to the investing public.
6. The Information was likely to:
  - (a) induce another person to subscribe for securities, or deal in futures

contracts, in Hong Kong; or

- (b) induce the sale or purchase in Hong Kong of securities by another person; or
- (c) maintain, increase, reduce or stabilize the price of securities, or the price for dealings in futures contracts, in Hong Kong.

7. On 21<sup>st</sup> June 2012, the turnover of Evergrande shares was exceptionally high and the share price fell significantly.
8. The Specified Person knew that, or was reckless or negligent as to whether, the Information was false or misleading as to a material fact, or was false or misleading through the omission of a material fact.
9. By reason of the matters aforesaid, the Specified Person has or may have contravened section 277(1) of the Ordinance and therefore has or may have engaged in market misconduct.

Dated this 15<sup>th</sup> day of December 2014

Securities and Futures Commission