

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**HYBRID KINETIC AUTOMOTIVE
HOLDINGS, INC. and AMERICAN COMPASS, INC.**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:09-CV-35-MPM-DAS

**HYBRID KINETIC AUTOMOTIVE CORP.,
XIAOLIN (CHARLES) WANG, XI (JACK) DENG,
YI (GARY) TANG, NICOLE DENTON, CAPITAL
WEALTH HOLDINGS, LTD., KONG BING OEI,
LION GMBH, YUCHENG LEI, and YUNTONG
XU,**

DEFENDANTS

*** * ***

**HYBRID KINETIC AUTOMOTIVE CORPORATION,
CHARLES WANG, JACK DENG, GARY TANG,
NICHOLE DENTON, BETHANY TURNER,
KONG BING OEI, PETER KREUTER AND
MOTOREN-und ENGINE-TECHNIC GmbH**

THIRD-PARTY PLAINTIFFS

VS.

**YUNG (BENJAMIN) YEUNG A/K/A RONG YANG,
RHEA YEUNG, VINCENT WANG, JIMMY WANG,
QUAN LIU, ZHENGSHAN LI, ZHENGWEI ZHANG,
HONGYU SUN, HYBRID KINETIC AUTOMOTIVE
HOLDINGS, INC., HYBRID KINETIC MOTORS
CORPORATION, THE ALABAMA CENTER
FOR FOREIGN INVESTMENT, LLC, FAR EAST
GOLDEN RESOURCES GROUP, LTD. AND
AMERICAN COMPASS INC.**

THIRD-PARTY DEFENDANTS

CONSENT JUDGMENT

CONSENT JUDGMENT

Plaintiffs HYBRID KINETIC AUTOMOTIVE HOLDINGS, INC. and AMERICAN COMPASS, INC., and Third-Party Defendants YUNG (BENJAMIN) YEUNG A/K/A RONG YANG, RHEA YEUNG, QUAN LIU, HYBRID KINETIC MOTORS CORPORATION, FAR EAST GOLDEN RESOURCES GROUP, LTD. and THE ALABAMA CENTER FOR FOREIGN INVESTMENT, LLC (“**the HKAH Parties**”); and Defendants and Third-Party Plaintiffs HYBRID KINETIC AUTOMOTIVE CORPORATION, XIAOLIN (CHARLES) WANG, XI (JACK) DENG, YI (GARY) TANG and NICHOLE DENTON, and Defendants CAPITAL WEALTH HOLDINGS, LTD., YUCHENG LEI and YUNTONG XU, and Third-Party Plaintiff BETHANY TURNER (“**the HKAC Parties**”); (**collectively, the HKAH Parties and the HKAC Parties are referred to as “the Parties”**), having reached a settlement of all of their claims, counter-claims and third party claims against each other in the above-entitled action, consent to a judgment of dismissal with prejudice on all claims, counter-claims and third party claims, through their undersigned counsel. The Court, in accordance with the parties’ consent and finding the settlement proper,

HEREBY ORDERS, ADJUDGES and DECREES that all parties recover nothing except as provided in the settlement agreement, that all parties shall bear their own costs, expenses of suit and attorneys’ fees, and that the action be dismissed on the merits with prejudice as to all claims, counter-claims and third party claims between the Parties; provided, however, that this Court hereby retains jurisdiction over all Parties for the purpose of enforcing the settlement agreement, including specific performance.

IT IS FURTHER ORDERED THAT AFTER August 15, 2009, all parties to this Consent Judgment are hereby permanently enjoined from directly or indirectly using, transferring, or having access to the Internet web domain www.hkautousa.com.

The Court further makes the following findings of fact, at the request and by consent of the parties, based upon the sworn declarations submitted to the Court:

FINDINGS OF FACT

1. While Yung (Benjamin) Yeung conceived of the name “Hybrid Kinetic,” Yung (Benjamin) Yeung and Rhea Yeung are not and have never been officers, directors or shareholders of Hybrid Kinetic Automotive Corporation, the Mississippi corporation.
2. Yung (Benjamin) Yeung and Rhea Yeung never participated, in any way, in any marketing or advertising efforts on behalf of or for the benefit of Hybrid Kinetic Automotive Corporation, the Mississippi corporation (“HKAC”).
3. None of the HKAH Parties have made any statements on behalf of HKAC and/or Capital Wealth Holdings, Ltd. (“Capital Wealth”) as part of any private placement memorandum by HKAC and/or Capital Wealth. As used herein, the HKAH Parties means Hybrid Kinetic Automotive Holdings, Inc., American Compass, Inc., Yung (Benjamin) Yeung A/K/A Rong Yang, Rhea Yeung, Quan Liu, Hybrid Kinetic Motors Corporation, Far East Golden Resources Group, Ltd. and The Alabama Center For Foreign Investment, LLC.
4. None of the HKAH Parties have made any statements on behalf of HKAC and/or Capital Wealth as part of any EB-5 program.

The Court expressly finds that there is no just reason for delay in entering final judgment

as to the claims addressed herein, and therefore the Court hereby directs entry of this judgment as a final judgment pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

SO ORDERED AND ADJUDGED, this the 24th day of July, 2009.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE

AGREED:

/s/ Paul N. Davis
PAUL N. DAVIS (MSB No. 8638)
Attorney for Plaintiffs and Third-Party
Defendants Hybrid Kinetic Automotive
Holdings, Inc., American Compass, Inc.,
Yung (Benjamin) Yeung, Quan Liu,
Hybrid Kinetic Motors Corporation,
The Alabama Center For Foreign Investment,
LLC, Far East Golden Resources, Ltd.

/s/ Gary J. Gorham
GARY J. GORHAM (admitted *pro hac vice*)

Attorney for Plaintiffs and Third-Party
Defendants Hybrid Kinetic Automotive
Holdings, Inc., American Compass, Inc.,
Yung (Benjamin) Yeung, Quan Liu,
Hybrid Kinetic Motors Corporation,
Far East Golden Resources, Ltd.

/s/ William C. Brabec
WILLIAM C. BRABEC (MSB No. 4240)

Attorney for Defendant and Third-Party
Plaintiff Hybrid Kinetic Automotive
Corporation

/s/ E. Clifton Hodge, Jr.

E. CLIFTON HODGE, JR. (MSB No. 3490)

Attorney for Defendants and Third-Party
Plaintiffs Xiaolin (Charles) Wang,
Xi (Jack) Deng, Yi (Gary) Tang and
Nichole Denton, Third-Party Plaintiff
Bethany Turner