

No. M06/013/20

March 2, 2020

Subject: Report of debt collection progress on loans and advance to related companies as of Q4/2019 and other main issues.

To: The President of the Stock Exchange of Thailand

MDX Public Company Limited. ("MDX") would like to report the progress of debt collection from trade receivables and from loans to related companies as of Q4/2019 as follows:

Progress of debt collection

<b>Parties involved</b>	<b>Amount (mil.) (30 Sep 19)</b>	<b>Descriptions</b>	<b>Collection procedure</b>	<b>Balance (mil.) (31 Dec 19)</b>
<b>NVPSKG Joint Venture</b>  (10% invested by Gateway Development Co., Ltd)  * Trade receivable	14.55	MDX was employed by the joint venture on Klong Daan Waste Water Treatment Project under 3 employment contracts.  Suspended operation of Klong Daan project by the government agency affected all 3 contracts.	As it is under legal process between the government agency and the joint venture, MDX has do nothing yet.	14.55
<b>Gateway Development Co., Ltd.</b>  (35.71% subsidiary)  * Long-term Loans  * Accrued Interest Receivable	220.00  128.19	In 2001, MDX lent to Gateway Development Co., Ltd. (a wholly owned subsidiary at that time)	MDX filed a petition against Gateway Development Co., Ltd to the Bangkok South Civil Court as the undecided case no. 1140/2561 on 16 May 2018.  On March 28, 2019, the Southern Bangkok Civil Court judged that Gateway Development Co., Ltd. disburse the money to MDX Pcl.	220.00  124.40

- Translation -

Parties involved	Amount (mil.) <small>(30 Sep 19)</small>	Descriptions	Collection procedure	Balance (mil.) <small>(31 Dec 19)</small>
			As Gateway Development Co., Ltd did not pay the judgement debt, the Executing Officer, then, seized the land property of Gateway Development Co., Ltd to sell by auction for further making debt repayment.	
<b>MDX Green Energy Co., Ltd.</b>  * Long-term Loans  * Accrued Interest Receivable  * Advance Payment	5.00  2.21  1.41	In 1999, MDX lent and paid an advance to MDX Green Energy Co., Ltd (MDX Water Co., Ltd at that time) for using on its water business. As the business did not go well, MDX Green Energy Co., Ltd. cannot pay its debt.	As MDX Green Energy Co., Ltd. is a wholly owned subsidiary, MDX has not done any legal proceeding.	5.00  2.21  1.41
<b>MDX Asset Co., Ltd. (9.90% held by GMS Power Co., Ltd.)</b>  * Long-term Loans (GMS Power Co., Ltd. and Gateway Development Co., Ltd. lent to MDX Asset Co., Ltd.)	237.35	Two subsidiaries, GMS Power (52.01%) and Gateway Development (35.71%), as being creditors under the rehabilitation plan of MDX, did transfer partial right to receive payment from MDX to MDX Asset Co., Ltd. MDX Asset, then, issued promissory notes, due 24 November 2018, to the both companies as evidence of debt.  The Extraordinary General Meeting of Shareholders of MDX Asset Co., Ltd., held on November 28, 2018, resolved the extension period of debt repayment for 5 years from October 25, 2018. The company, then, issue new promissory notes in exchange for the existing notes.		237.35

- Translation -

<b>Parties involved</b>	<b>Amount (mil.) (30 Sep 19)</b>	<b>Descriptions</b>	<b>Collection procedure</b>	<b>Balance (mil.) (31 Dec 19)</b>
<b>Gateway Estate Co., Ltd.</b>				
* Long-term Loans	141.87	It is the loans giving to Gateway Estate Co., Ltd. for business operation. MDX held 75% shares in Gateway Estate at the transaction date.	Gateway Estate makes debt repayment at the fixed amount, twice a year in June and December of each year. The payment ends in 2025. In 2019, Gateway Estate make debt repayment on principal and interest for total of Bath 20.11 millions.	137.82
* Accrued Interest Receivable	53.69			52.70
<b>Siamland Holding (1990) Co., Ltd.</b>				
Long-term Loans	190.00	MDX BVI Ltd., a wholly owned subsidiary, pledged its assets as collateral for Siamland Holding (a mother company of MDX) and Siamland was incapable to return those assets to MDX BVI. Instead, Siamland would pay a total of Baht 200 million. It actually paid only Baht 10 million.	Siamland is now under liquidation process. MDX BVI has submitted the right for asset allocation.	190.00
<b>Mr. Roy Jutabha</b>				
* Long-term Loans	1.99	In 1990, Gateway Development Co., Ltd., the subsidiary, lent to Mr. Roy Jutabha. Mr. Roy Jutabha was a director of Gateway Development while MDX was not the shareholder of Gateway Development at the transaction date.	Nothing has been done.	1.99

Other issues

1. The effect on financial statements of the undecided case no. For194/2559, the decided case no. For142/2560

As MDX Public Company Limited and a subsidiary have been sued by the public prosecutor that the property earned from service rendered to NVPSKG become the property of the state and the Court of First Instance issued a verdict on November 30, 2017 that the property of MDX and a subsidiary become the property of the state. MDX and the subsidiary, then, lodged an appeal against the

judgment but the Appeal Court sentenced on October 24, 2019, in the same way as the Court of First Instance's as stated in MDX Public Co., Ltd and its subsidiaries financial statement for the year ended December 31, 2019 as Garnished Financial Institution Deposits for THB.210.74 million and THB.100.72 million in the consolidated and the separated statement respectively and also stated in the notes to financial statement no. 13

MDX is still confident that the property received from NVPSKG which is derived from the Supreme Administrative Court's verdict and also from the cabinet's resolution is not within the scope of the predicate offense. The AMLO, then, does not have the right to request that the property become the property of the state. Furthermore, MDX is an outsider who obtained the property from service rendered, then, these property is an exception of the seizure under the Money Laundering Control Act, B.E. 2542(1999) clause 50.

MDX, then, submitted the petition to the Supreme Court on February 12, 2020 and is waiting for the Supreme Court while the subsidiary did the same on February 21, 2020.

Although we are still confident in our above-mentioned opinion, we do forecast of the effect on equity in the financial statement ended December 31, 2019 in case that the Supreme Court rejects the petition or upheld the sentences which means the case is final and the property is seized and found that the Equity to Paid-up Capital ratio would decrease to 54.93%, which is still above the criteria of "caution". We forecast that our performance in 2020 would be in the same level as before which means that the ratio would gradually be higher.

In summary, the effect on the financial statement in case that the property become the state's property is a decrease in the Equity to Paid-up Capital ratio. However, such ratio is still above 50% and will gradually increase afterward.

## 2.The subsidiary's loan from other investors in NVPSKG

As our subsidiary, Gateway Development Co., Ltd. entered into the loan agreements with other parties in NVPSKG for a total of THB 41.64 million and the payment is due on March 28, 2020, we are informed that it's now under the preparation on negotiation process of how to make repayment.

Please be informed accordingly.

Yours faithfully,

(Mr.Pijayaphong Na Bangxang)

President