

# CFI 010/2016 Roberto's Club LLC v DIFC Investments LLC

Claim No. CFI 010/2016

## THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

**IN THE COURT OF FIRST INSTANCE**

BETWEEN

**ROBERTO'S CLUB LLC**

Claimant

and

**DIFC INVESTMENTS LLC**

Defendant

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### **ORDER OF H.E. JUSTICE SHAMLAN ALSAWALEHI**

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**UPON** reviewing the Claimant's Claim Form under Part 8 of the Rules of the DIFC Courts ("RDC") dated 16 March 2016, seeking a number of remedies relating to the commencement of arbitration proceedings against the Defendant

**AND UPON** reviewing the Defendant's Application (made without a hearing) dated 14 April 2016, seeking that the Claimant's Claim be dismissed with costs,

**AND UPON** reading the submissions and evidence filed and recorded on the Court file including the Claimant's letter to the DIFC Courts dated 3 April 2016;

**AS I FIND THAT**, all remedies sought by the Claimant are not relevant to the circumstances in which the DIFC Courts may intervene in disputes that are subject to arbitration proceedings seated in the DIFC, in accordance with Articles 11 and 13 of the DIFC Arbitration Law No.1 of 2008;

**IT IS HEREBY ORDERED THAT:**

1. The Claimant's Claim is dismissed.
2. The Claimant is to pay the Defendant the costs incurred as a result of the Claimant's Claim and the Defendant's application, to be assessed by the Registrar if not agreed.

Issued by:

**Natasha Bakirci**

Assistant Registrar

Date of issue: 5 June 2016

At: 4pm