□□□□□□□□□ THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

□

IN THE COURT OF FIRST INSTANCE

BETWEEN:

□

(1) NEST INVESTMENTS HOLDING LEBANON S.A.L.

(2) JORDANIAN EXPATRIATES INVESTMENT HOLDING COMPANY

(3) QATAR GENERAL INSURANCE AND REINSURANCE COMPANY P.J.S.C.

(4) GHAZI KAMEL ABDUL RAHMAN ABU NAHL

(5) JAMAL KAMEL ABDUL RAHMAN ABU NAHL

(6) TRUST COMPASS INSURANCE S.A.L.

(7) TRUST INTERNATIONAL INSURANCE COMPANY (CYPRUS) LIMITED

(8) HIS EXCELLENCY SHEIKH NASSER BIN ALI BIN SAUD AL THANI

(9) FADI GHAZI ABU NAHL

(10) HAMAD GHAZI ABU NAHL

(11) KAMEL GHAZI ABU NAHL

Claimants

and

(1) DELOITTE & TOUCHE (M.E.)

(2) JOSEPH EL FADL

Defendants

CASE MANAGEMENT ORDER OF JUDICIAL OFFICER MAHA AL MEHAIRI

UPON reviewing the Court file

AND UPON reading the Case Management Bundle

AND UPON reviewing the Rules of the DIFC Courts ("**RDC**")

AND UPON hearing Counsel for the Claimants and Counsel for the Defendants at the Case Management Conference held before Judicial Officer Nassir Al Nasser on 26 November 2019

AND UPON hearing the Defendants' submissions for the application filed on 20 November 2019 that that certain key issues be determined by way of preliminary hearing (the "**Defendants' Application**").

IT IS HEREBY ORDERED THAT:

1. The Defendants' Application is granted.

2. The issues set out in the Schedule to this order shall be tried as preliminary issues.□ The trial of the preliminary issues shall take place on the basis that the facts set out in the Schedule are true.

Expert Reports

3. The Parties have permission to file and serve an Expert Report in the field of Lebanese law by no later than **4pm on 21 January 2020** in respect of the following issues:

a. Recoverability of the Claimants' claimed loss:

Are the Claimants entitled to recover the loss claimed as a matter of principle under Lebanese law, namely the alleged difference between (a) the sums that the Claimants have in fact received (and will receive) in their capacity as shareholders in LCB (including sums that they stand to receive

following the liquidation of LCB) and (b) the sum that the Claimants assert their shareholding would have been worth but for the Defendants' alleged breaches.

b. Limitation:

For each claim set out in the Re-Re-Amended Particulars of Claim (i) the applicable limitation period(s) under Lebanese law; and (ii) when such period(s) started to run.

c. Admissibility:

What are the principles of Lebanese law applicable to the question of admissibility of evidence, and in particular, findings by regulatory bodies or agencies.

4. The experts in the areas described in paragraph 3 shall exchange any short supplemental reports simultaneously by no later than **4pm on 18 February 2020.**

Hearing

5. Agreed hearing bundles shall be completed in accordance with Part 35 of the RDC and lodged by no later than four weeks before the preliminary hearing.

6. An agreed reading list for trial along with an estimate of time required for reading and an estimated timetable for trial shall be filed with the Court by the Claimants no later than three weeks before the preliminary hearing.

7. Skeleton Arguments shall be served on all other parties and lodged with the Court three weeks before the start of the preliminary hearing for the Claimants, and two weeks before the start of the preliminary hearing for the Defendants.

8 .The preliminary hearing shall be listed in April 2020, on a date that is most convenient to the court.



Issued by:

Nour Hineidi

Deputy Registrar

Date of issue: 19 December 2019

At: 1pm