Claim No: CFI 070/2022

IN THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

PARAMJIT KAHLON

Claimant

and

(1) LIBERTY STEEL GROUP LIMITED
(2) LIBERTY FE TRADE DMCC

Defendants

CASE MANAGEMENT ORDER OF JUSTICE LORD ANGUS GLENNIE

UPON reviewing the Court file

AND UPON reading the Case Management Bundle

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

AND UPON the Case Management Order of H.E Justice Nassir Al Nasser dated 13 May 2024 giving directions for this claim (the "CMO")

AND UPON the Consent Order dated 25 June 2024 varying the deadline in Paragraph 1 of the CMO such that the deadline for standard production of documents be varied to 4pm on 26 June 2024

AND UPON the Consent Order dated 25 July 2024 further varying the CMO

AND UPON the parties having agreed in correspondence to further vary the CMO

AND UPON the Defendants having served a request for further information of the Amended Particulars of Claim and the Reply (the "Defendants' RFI")

AND UPON hearing Counsel for the Claimant and Counsel for the Defendants at the reconvened Case Management Conference on 17 October 2024

IT IS HEREBY ORDERED THAT:

1. The CMO shall be set aside and replaced with directions set out below.

Amendments and further information (RDC Parts 18 and 19)

2. The Claimant shall provide the information requested in the Defendants' Request for Further Information, supported by a statement of truth, by **4pm on 21 October 2024.**

3. The Defendants shall serve on the Claimant any Amended Defence, inclusive of any amendments arising from the Claimant's response to the request for Further Information by **4pm on 8 November 2024.**

4. The Claimant has permission to make consequential amendments to its Reply, to be served by **4pm on 15 November 2024.**

5. The costs of and occasioned by the amendments are reserved.

Production of Documents (RDC Part 28)

6. Retrospective extensions of time are granted to permit:

(a) the Defendants to file and serve their Request to Produce and Objections to Request to Produce each dated 27 September 2024; and

(b) the Claimant to file and serve file and served his Objections to Requests to Produce dated 7 October 2024.

7. Where there are no objections to a particular Request contained in a Request to Produce, documents responsive to that request shall be produced and a Document Production Statement filed and served by no later than **4pm on 15 November 2024.**

8. If a party is not satisfied with the objections to any Requests to Produce, it may apply to the Court for a Document Production Order using the Part 23 Form.

Witness Statements (RDC Part 29)

9. Signed statements of witnesses of fact, and hearsay notices where required by the RDC, shall be filed and served by no later than **4pm on 20 December 2024.**

10. Any Witness Statement evidence in reply shall be filed and served by no later than **4pm on 31 January 2025.**

11. Unless otherwise ordered, Witness Statements shall stand as evidence in chief of the witness at trial.

Expert Evidence (RDC Part 31)

12. The Claimant and the Defendants have permission to rely on the evidence of experts in the mining and steel industry, on the issues of

(a) Industry-standard practices and benchmarks for evaluating long-term incentive plans (LTIPs) within the mining and steel sector, specifically whether EBITDA is typically used as the primary metric for assessing growth.

(b) Industry-standard practice in relation to the manner of an LTIP's vesting.

(c) The quantification of any LTIP that, if found to be payable, would be due to the Claimant.

13. Expert Reports shall be exchanged by no later than **4pm on 24 January 2025.**

14. There shall be a meeting between the parties' experts on or before 7 February 2025.

15. The parties' experts shall produce a joint memorandum indicating

(a) the fact that they have met and discussed the expert issues;

(b) the issues on which they agree;

(c) the issues on which they disagree; and

(d) a brief summary of the reasons for their disagreement,

by no later than **4pm on 14 February 2025.**

16. Supplemental Expert Reports shall be filed and served by no later than **4pm on 25 February 2025.**

Progress Monitoring Date and Pre-Trial Review (RDC Part 26)

17. The Progress Monitoring Date and Pre-Trial Review (to be held remotely with a time estimate of ½ a day) shall be 7 March 2025.

18. The parties shall file and serve a Progress Monitoring Information Sheet and any skeleton arguments on which it wishes to rely upon for the Pre-Trial Review, by **4pm on 3 March 2025.**

Trial Bundles (RDC Part 35)

19. The Claimant shall provide a draft trial bundle index to the Defendants by no later than **4pm on 27 December 2024.**

20. The Defendants shall provide their comments by no later than **4pm on 10 January 2025.**

21. Agreed trial bundles shall be filed and served by the Claimant by no later than **4pm on 24 January 2025.**

Reading List and Trial Timetable (RDC Part 35)

22. 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 Claimant no later than 1pm four clear days before the date fixed for trial.

Skeleton Argument and Chronology (RDC Part 35)

23. The Claimant shall file and serve their Skeleton Argument four working days before the start of trial. The Defendants shall file and serve their Skeleton Argument two working days before the start of trial.

24. The Claimant shall provide to the Defendants a draft Chronology of significant events cross-referenced to significant documents, pleadings and witness statements 21 days before the start of the trial. The Defendants shall provide their comments 14 days before the start of the trial. The Claimant shall file and serve the Chronology (ideally agreed) at the same time as their Skeleton Argument. In the event that there are areas of disagreement, the Chronology shall include an agreed Chronology and a Chronology of events which are disputed, with the parties' respective positions outlined therein.

Trial (RDC Part 35)

25. The trial of this matter shall commence on **21 March 2025** and be held as follows:

(a) If required, opening submissions to be heard by virtual hearing on 21 March 2025.

(b) Evidence of fact to be heard in person between 24-28 March 2025.

(c) Expert evidence and closing submissions to be heard by virtual hearing over two days during the week commencing 19 May 2025, such date to be confirmed between the parties and the Court.

26. Costs of the Re-convened Case Management Conference shall be costs in the case.

27. The parties shall have liberty to apply.

Issued by:
Hayley Norton
Assistant Registrar
Date of issue: 21 October 2024
At: 1pm