Claim No. CA 013/2021
CA 015/2021

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF APPEAL

BETWEEN

IGPL GENERAL TRADING LLC

Claimant/Appellant

and

(1) HORTIN HOLDINGS LIMITED
(2) LODGE HILL LIMITED
(3) WESTDENE INVESTMENT LIMITED

Defendants/Respondents

ORDER OF ASSISTANT REGISTRAR HAYLEY NORTON

UPON the Costs Judgment of Justice Roger Giles dated 6 October 2021 in Claim CFI-023-2021 (the "Costs Judgment")

AND UPON paragraph 1 of the Costs Judgment ordering the Claimant to pay the Defendants' costs of the proceedings to be assessed by the Registrar if not agreed

AND UPON the Order with Reasons of Justice Roger Giles dated 1 November 2021 in Claim CFI-023-2021

AND UPON the Order with Reasons of the Chief Justice Zaki Azmi dated 21 December 2021 in Claim CFI-023-2021

AND UPON the Judgment of the Court of Appeal dated 23 March 2022 (the "Court of Appeal Judgment")

AND UPON paragraph 3 of the Court of Appeal Judgment ordering the Appellant to pay the Respondents' costs of the appeal to be assessed by the Registrar if not agreed

AND UPON the Defendants' Statements of Costs dated 25 August 2021, 28 March 2022 and 28 April 2022 (the "Statements of Costs")

AND UPON the Defendants' Application No. CA-013-2021/1 dated 20 September 2023 seeking an order for an interim payment on account of the Defendants' costs occasioned by these proceedings (the "Application")

AND UPON reviewing the Seventh Witness Statement of Carlo Fedrigoli dated 19 September 2023

AND UPON reviewing Part 38 of the Rules of the DIFC Courts and Practice Direction No. 5 of 2014 - DIFC Courts' Costs Regime

IT IS HEREBY ORDERED THAT:

1. The Application is granted.

2. The Claimant shall, within 14 days of the date of this Order, make an interim payment on account of costs representing 50% of the Defendants' costs set out in the Statements of Costs in the sum of USD 139,163.165.

Issued by:
Delvin Sumo
Assistant Registrar
Date of issue: 20 November 2023
At: 9am