Claim Nos: CFI 093/2020
CFI 116/2020

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN COURT OF FIRST INSTANCE

BETWEEN

INFRACARE MAINTENANCE AND CLEANING SERVICES LLC

Claimant

and

KENT COLLEGE LLC FZ

Defendant / Additional Claimant

and

CHICAGO MAINTENANCE & CONSTRUCTION CO LLC

Additional Defendant

AGREED CASE MANAGEMENT ORDER

UPON reviewing the Court File

AND UPON reading the Case Management Bundle

AND UPON the parties agreeing the terms of this Case Management Order

IT IS HEREBY ORDERED BY CONSENT THAT:

1. The Case Management Hearing listed on **23 September 2021** is vacated.

Agreed List of Issues

2. Adjacent to each paragraph of each witness statement, reply witness statement (if any) and skeleton argument shall be inserted the issue or issues to which that paragraph relates as numbered in the Agreed List of Issues, in order for the Court to understand to which of the agreed issues that paragraph relates.

Stay for alternative dispute resolution

3. The proceedings are stayed to allow the parties to engage in alternative dispute resolution until **29 November 2021**.

4. If the proceedings are compromised, the parties must inform the Court of that fact in writing as soon as reasonably practicable.

Production of Documents (RDC Part 28)

5. Standard production of documents shall be made by each party by **4pm on 10 January 2022**.

6. The parties shall file and serve a Request to Produce, if any, by **4pm on 27 January 2022**.

7. Objections to Requests to Produce, if any, shall be filed and served by **4pm on 7 February 2022**.

8. Where there are no objections to a particular Request contained in a Request to Produce, documents responsive to that request shall be produced by **4pm on 28 February 2022**.

9. Any application by any party for a Document Production Order pursuant to RDC 28.36 shall be made by **4pm on 7 March 2022**.

Witness Statements (RDC Part 29)

10. Signed statements of witnesses of fact, and hearsay notices where required by the RDC, shall be filed and exchanged by **4pm on 25 April 2022**.

11. Any witness statement evidence in reply shall be filed and exchanged by **4pm on 23 May 2022**.

12. Unless otherwise ordered, witness statements shall stand as evidence in chief of the witness at trial.

Expert Reports (RDC Part 31)

13. The Defendant shall file and serve an expert report in respect of the alleged maintenance defects by **4pm on 20 June 2022**.

14. The Claimant shall file and serve an expert report in respect of those same issues by **4pm on 18 July 2022**.

15. The parties' experts shall meet and by **4pm on 8 August 2022** produce a joint report identifying the areas where they agree and the areas where they disagree and briefly identifying the reasons for any disagreement.

Progress Monitoring Date (RDC Part 26)

16. The Progress Monitoring Date shall be listed at **1pm on 19 September 2022**.

17. The parties shall file and serve a Progress Monitoring Information Sheet at least three clear days before the Progress Monitoring Date

Pre-Trial Review (RDC Part 26)

18. A pre-trial review shall be listed not before **26 September 2022**. The parties shall correspond with the Court forthwith to provide their dates to avoid and fix the Pre-Trial Review.

Bundles, Skeleton Arguments and other Trial Documents (RDC Part 35)

19. The parties must liaise to agree a trial bundle. The Claimant will provide the Court and the other parties with the agreed trial bundle not less than two weeks before the commencement of the trial.

20. The parties shall prepare and lodge with the Court not less than five clear days before the trial:

(a) an Agreed Reading List;

(b) an agreed Chronology of significant events cross-referenced to significant documents, pleadings and witness statements; and

(c) an agreed *Dramatis Personae*.

21. The parties shall file and serve skeleton arguments not less than three clear days before the trial.

22. The Claimant shall file and serve a composite bundle of all parties' legal authorities not less than 2 clear days before the trial.

Trial (RDC Part 35)

23. The trial of this matter shall be listed for a date not before **13 November 2022**, with an estimated duration of [6] days, plus one day of judicial pre-reading. The parties shall correspond with the Court forthwith to provide their dates to avoid and fix the trial listing.

24. Costs of the Case Management Conference shall be costs in the case.

25. The parties shall have liberty to apply.

Issued by:
Nour Hineidi
Registrar
Date of issue: 15 September 2021
At: 3.45pm