THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURTS OF FIRST INSTANCE

BETWEEN

ODILO

Claimant

and

ODOLFF

Defendant

ORDER WITH REASONS OF H.E. JUSTICE RENE LE MIERE

UPON the Claimant's Part 7 Claim dated 26 August 2025 (and amended on 9 September 2025)

AND UPON the Case Management Order of H.E. Justice Rene Le Miere dated 23 December 2025 (the "CMO")

AND UPON the CMO ordering that a Preliminary Issues Trial be listed in respect of the following issues:

(a) Whether the Claimant's claim for age related discrimination has been brought in time, under Article 61(2)(a) of the DIFC Employment Law; and

(b) If not, whether there are circumstances which justify disapplying the limitation period, under Article 61(2)(b) of the DIFC Employment Law (the "Preliminary Issues").

AND UPON the Order with Reasons of H.E. Justice Rene Le Miere dated 9 February 2025 (the "Order")

AND UPON hearing counsel for the Claimant and counsel for the Defendant at the Preliminary Issues Trial held before H.E. Justice Rene Le Miere on 19 February 2026 (the "Preliminary Issues Trial")

AND UPON review of the review of the submissions on the Court file

AND PURSUANT TO the Rules of the DIFC Courts ("RDC")

IT IS HEREBY ORDERED THAT:

1. The Preliminary Issues shall be determined at the Trial to be listed in this matter; the Court having determined that it should not proceed to determine the Preliminary Issues at the Preliminary Issues Trial.

2. The full reasoning of the Court's decision is reported in the Schedule of Reasons to follow.

Directions on Amending Statements of Case

3. By no later than 4pm on 10 March 2026:

(a) The Claimant shall, if so advised, propose to the Defendant any amendments to his Particulars of Claim, whether by means of an Amended Particulars of Claim and/or Particulars of Discrimination (the "Proposed Amendments"), seeking the Defendant's consent to the same; and

(b) In the event that no such consent is provided, the Claimant shall file an application for permission for the Proposed Amendments.

4. The Defendant shall (if so advised) file and serve its Amended Defence and/or response to any Particulars of Discrimination within 14 days of either:

(a) the filing of any agreed Proposed Amendments; or

(b) the Court's determination of the Claimant's application to amend if made.

5. The Claimant shall, if so advised, file and serve an Amended Reply within 14 days of the filing and service of any Amended Defence and/or response to any Particulars of Discrimination.

Effects to Current Procedural Timeline

6. The procedural timeline established under the CMO shall remain unchanged by the above directions.

General

7. The parties shall have liberty to apply.

8. Costs of the Preliminary Issues Trial are reserved to the judge hearing the Trial.

Issued by:
Hayley Norton
Assistant Registrar
Date of Issue: 9 March 2026
At: 12pm