Claim No. CFI 060/2023

IN THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

AES MIDDLE EAST INSURANCE BROKER LLC

Claimant

and

GSB CAPITAL LIMITED

Defendant

CASE MANAGEMENT ORDER OF H.E. JUSTICE NASSIR AL NASSER

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 Claimant and Counsel for the Defendant at the Case Management Conference (the "CMC") held before H.E. Justice Nassir Al Nasser on 9 January 2023

IT IS HEREBY ORDERED THAT:

Production of Documents (RDC Part 28)

1. Standard production of documents to be made by each party by no later than **4pm on 30 January 2024.**

2. By no later than **13 February 2024,** each party may file and serve on the other party a Request to Produce ("RTP") in a form which substantially complies with Schedule A to RDC Part 28.

3. Objections to Requests contained in a RTP (if any) shall be filed and served by the party responding to the RTP by no later than **4pm on 20 February 2024.**

4. Replies to Objections to Requests contained in a RTP (if any) shall be filed and served by the party making the RTP by no later than **4pm on 27 February 2024.**

5. Where there are no objections to a particular Request contained in an RTP, the responding party shall produce to the requesting party documents which are responsive to that request by **4pm on 27 February 2024.**

6. If a party is not satisfied with the objections to the RTP it may apply to the Court for a Document Production Order immediately using the Part 23 Form (the "Document Production Application"). The usual timelines under RDC 23, for progression of such an application, will apply.

7. Once the Document Production Application is fully progressed, the matter will be put before the Court for determination.

8. The parties shall comply with the terms of any Document Production Order **within 14 days** from the date of the Document Production Order.

Order for Alternative Dispute Resolution (RDC Part 27)

9. Without prejudice to the possibility of alternative dispute resolution at any appropriate time during the proceedings, the Claimant and the Defendant shall, following the close of the disclosure stage and prior to the exchange of witness statements, give reasonable consideration to whether the case is capable of amicable settlement.

Witness Statements (RDC Part 29)

10. Signed statements of witnesses of fact, and hearsay notices where required, to be exchanged and filed by no later than **4pm on 30 April 2024.**

11. Any reply witness statements shall be filed and served by **4pm on 14 May 2024.**

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

Expert Reports (RDC Part 31)

13. Pursuant to RDC 31.13, both parties are granted permission to adduce expert evidence in respect of the following expert disciplines:

(a) forensic information technology; and

(b) quantum, relating to the losses the Claimant asserts that it has suffered as a result of the Defendant's wrongdoing.

14. The parties' respective forensic information technology experts shall meet to discuss methodology and the data required for their reports by no later than **4pm on 9 April 2024.**

15. The Claimant shall file and serve its expert reports by no later than **4pm on 4 June 2024.**

16. The Defendant shall file and serve its reply expert reports by no later than **4pm on 2 July 2024.**

17. Any supplemental expert reports on behalf of the Claimant shall be filed and served by no later than **4pm on 23 July 2024.**

18. Any supplemental expert reports on behalf of the Defendant shall be filed and served by no later than **4pm on 13 August 2024.**

19. Unless otherwise ordered, expert reports are to stand as evidence in chief of the expert at trial.

Pre-Trial Review (RDC Part 26)

20. A pre-trial review will be held at **12pm on 21 August 2024.**

Trial Bundles (RDC Part 35)

21. The Claimant will submit to the Defendant proposals as to the number content and organisation of the trial bundle by no later than **4pm on 20 August 2024.**

22. The Defendant will submit to the Claimant the details of additions and suggested revisions by no later than **4pm on 27 August 2024.**

23. Trial bundles shall be completed and lodged by no later than **4pm on 3 September 2024.**

Reading List and Trial Timetable (RDC Part 35)

24. A single reading list approved by all parties' legal representatives for trial along with an estimated timetable for trial shall be lodged with the Registry not later than **4pm on 12 September 2024** before the first day fixed for trial, together with an estimate of time required for reading.

Skeleton Arguments and Chronology (RDC Part 35)

25. Skeleton Arguments shall be filed and exchanged simultaneously by no later than **4pm on 17 September 2024.**

26. An agreed chronology of significant events cross-referenced to the documents in the bundle shall be filed by the Claimant no later than **4pm on 12 September 2024.** If there is disagreement, this is to be set out in a single document, in redline.

Trial (RDC Part 35)

27. The trial of this matter is to take place in person, commencing at **10am on Monday 23 September 2024** until **Wednesday 2 October 2024** (an estimated duration of six days, with two days in reserve).

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

29. The parties shall have liberty to apply.

Issued by:
Hayley Norton
Assistant Registrar
Date of Issue: 18 January 2024
At: 2pm