THE JUDICIAL AUTHORITY OF THE DUBAI INTERNATIONAL FINANCIAL CENTRE

IN THE COURT OF APPEAL

BETWEEN

MR RAFED ABDEN MOHSEN BADER AL KHORAFIMRS AMRAH ALI ABDEL LATIF AL HAMAD

MRS ALIA MOHAMED SULAIMAN AL RIFA

Claimants/Appellants/Respondents

and

BANK SARASIN-ALPEN (ME) LIMITED

First Defendant/Respondent/Appellant

ORDER OF DEPUTY CHIEF JUSTICE SIR ANTHONY COLMAN MADE ON 20 SEPTEMBER 2010

UPON hearing Counsel for the Claimants and Counsel for the First Defendant

IT IS HEREBY ORDERED THAT:

1. The Claimants shall formally inform the Court of Appeal by letter today, **20 September 2010**, that in the hearing on Monday 27 September the Claimants seek the Court of Appeal's permission to re-amend the Particulars of Claim based on the pleading attached to the application.

2. The Claimants' application for leave to re-amend the Particulars of Claim shall come before the Court of Appeal on **Monday, 27 September 2010**.

3. The First Defendant's challenge to the Claimants' application (if any) must be made by written submissions to be filed and served by **4pm on Wednesday, 22 September 2010**.

4. The Claimants shall have liberty to respond to such submissions by **4pm on Thursday, 23 September 2010**.

5. The Court of Appeal shall decide at the hearing on **Monday, 27 September 2010** whether to grant (in whole or in part) leave to re-amend the Claimants' Particulars of Claim.

6. If leave is refused, (in whole or in part) the Court of Appeal shall consider the appeals of paragraphs 1(b), 1(c) and 1(d) of the Order of Her Honour Justice Tan Sri Norma Yaakob made 7 July 2010 and issued 3 August 2010 with respect to the striking out of the Claimants' claims in relation to contract, misrepresentation and negligence claims.

7. The Court of Appeal shall in any event decide at the hearing on **Monday, 27 September 2010** the appeals of paragraphs 1(a) and 2 of the Order of Her Honour Justice Tan Sri Norma Yaakob made 7 July 2010 and issued 3 August 2010 in relation to Article 94 of the Regulatory Law and Security for Costs.

8. No further skeleton arguments shall be filed in the appeals save that the First Defendant shall have leave to file and serve a short skeleton argument in relation to Security for Costs.

9. Agreed list of authorities to be filed with the Court by **12pm on Thursday, 23 September 2010**.

Issued by

Amna Alowais

Deputy Registrar

Date: 21 September 2010

At: 10am