THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

PEN & PAPER WORLDWIDE DMCC

Claimant

and

DMITRY KOROBKOV

Defendant

ORDER WITH REASONS OF H.E. RENE LE MIERE

UPON the Claimant's Application No. CFI-039-2026/4 dated 31 August 2026 seeking an Immediate Judgment (the "Immediate Judgment Application")

AND UPON the Consent Order dated 3 September 2026 (the "Consent Order")

AND UPON the Defendant's Application No. CFI-039-2026/6 dated 28 September 2026 seeking to extend the deadline for filing its Evidence in Answer to the Immediate Judgment Application (the "Extension Application")

AND UPON the Claimant's Evidence in Answer dated 1 October 2026

AND UPON the Defendant's Evidence in Reply dated 2 October 2026

AND UPON a hearing having been listed for the Immediate Judgment Application on 16 December 2026 before H.E. Justice Rene Le Miere (the "Hearing")

IT IS HEREBY ORDERED THAT:

1. The time for the Defendant to file and serve any evidence in response to the Immediate Judgment Application under paragraph 3 of the Consent Order is extended to **4pm (GST) on 26 October 2026**.

2. The time for the Claimant to file and serve any reply evidence under paragraph 4 of the Consent Order is extended to **4pm (GST) on 9 November 2026**.

3. The Hearing remains unchanged.

4. Save as varied by this Order, the Consent Order remains in full force and effect.

5. There shall be no order as to the costs of the Extension Application.

Issued by:
Delvin Sumo
Assistant Registrar
Date of issue: 14 October 2026
At: 2pm

SCHEDULE OF REASONS

A. Introduction

1. By Application No. CFI-039-2026/6 dated 28 September 2026 (the "Application"), the Defendant applies under Rule 4.2(1) of the Rules of the DIFC Courts ("RDC") for an order extending the time for him to file and serve his evidence in answer to the Claimant's Immediate Judgment Application No. CFI-039-2026/4 (the "Immediate Judgment Application") from 4pm on 28 September 2026 to 4pm on 26 October 2026 (the "Extension Application"). He also asks that the Hearing remain unchanged and that the costs of the Extension Application be reserved.

2. The Defendant relies on Ms Rita Kaufmann's first and second witness statements, dated 28 September 2026 and 2 October 2026, and on Exhibit RK-1. The Claimant opposes the Extension Application and relies on Mr Sergey Levichev's second witness statement, dated 1 October 2026.

3. The Defendant asks the Court to determine the Extension Application without a hearing. The Claimant has not sought a hearing. The Court is satisfied that it can fairly determine the Extension Application on the papers.

B. Background

4. By a Consent Order dated 3 September 2026 (the "Consent Order"), the Court ordered that the Immediate Judgment Application be heard as a preliminary application. It also set a timetable, under which:

(a) the Defendant was to file and serve any evidence in response by 4pm on 28 September 2026 (the "Deadline"); and

(b) the Claimant was to file and serve any reply evidence by 4pm on 12 October 2026.

5. The Immediate Judgment Application is listed for hearing on 16 December 2026.

6. On the morning of 28 September 2026, the day of the Deadline, the Defendant's solicitors asked the Claimant's solicitors to agree to extend the Deadline to 26 October 2026 to allow the parties to continue settlement discussions. At 11.46am, they sent a draft consent order. They requested a response by 2pm and stated that, in the absence of agreement, the Defendant would apply to the Court. At 11.49am, the Claimant's solicitors advised that the Claimant did not agree.

7. The Defendant filed the Extension Application and served it on the Claimant at 1.19pm on 28 September 2026, before the Deadline expired.

C. The parties' positions

8. The Defendant says:

(a) the parties are engaged in genuine settlement discussions, which have reached the stage of a draft settlement agreement, although some terms remain to be agreed;

(b) the extension is sought to facilitate those discussions and to avoid costs that may prove unnecessary;

(c) he has not treated the discussions as suspending the Deadline and has continued to prepare his response, but it is not complete;

(d) the proposed date is more than seven weeks before the hearing, which will not be affected; and

(e) the Claimant will suffer no prejudice.

9. Alternatively, he seeks an extension to any earlier date the Court considers appropriate.

10. The Claimant says:

(a) settlement discussions are not a proper basis for extending a timetable ordered by the Court;

(b) the Claimant never proposed or agreed a standstill;

(c) on the Defendant's own evidence, preparation of his evidence was under way, which undermines the need for an extension; and

(d) the Defendant gave no reason for waiting until the morning of the Deadline before seeking the Claimant's consent.

11. Neither party has disclosed or relied on the content of the without-prejudice discussions. Both parties confirm that the discussions are continuing.

D. Discussion

12. Under RDC 4.2(1), the Court may extend the time for compliance with a Court order. The Consent Order imposes no sanction for failing to meet the Deadline, and the Extension Application was filed before the Deadline expired. The Defendant therefore does not require relief from sanctions, and RDC 4.49 does not apply. The question is whether an extension is appropriate, and if so, of what length, to best give effect to the overriding objective (RDC 1.6) of dealing with the case justly and at proportionate cost.

13. The Court accepts the Claimant's submission that settlement discussions, of themselves, do not suspend or justify extending a timetable ordered by the Court. Parties who want time to negotiate should agree a standstill or seek an extension in good time. The Defendant did neither. He knew of the Deadline from 3 September 2026. He gives no explanation why, if the settlement discussions made an extension desirable, he waited until the morning of the Deadline to seek the Claimant's agreement, leaving the Claimant only a few hours to respond. That is not how a party should seek an extension of a timetable fixed by consent, and the Court does not condone it.

14. Several matters, however, favour the extension:

(a) The extension will not affect the Hearing. The proposed date is more than seven weeks before the hearing on 16 December 2026, and the Defendant does not seek an adjournment.

(b) The Claimant has not identified any prejudice. Its evidence addresses the timing and basis of the Extension Application. It does not suggest that the extension would jeopardise the hearing, leave the Claimant too little time to respond, or disadvantage it in any other way.

(c) The settlement discussions, in themselves, are not a reason to extend time, but they are relevant to proportionality. Both parties confirm that the discussions continue. The Defendant's uncontradicted evidence is that they have reached the stage of a draft settlement agreement. An extension may avoid the cost of evidence that would be wasted if settlement is reached.

(d) The Defendant's continued preparation of his evidence does not undermine the Extension Application. It shows he has not treated the discussions as an excuse for non-compliance.

(e) The Defendant applied before the Deadline expired and told the Claimant beforehand that he would do so.

15. Having weighed these matters, the Court considers that the extension sought should be granted. The Deadline has passed. Refusing the extension would require the Defendant to file his evidence immediately, at potentially unnecessary cost, and would confer no substantive benefit on the Claimant, since the Hearing date is preserved in either case. The Court has considered a shorter extension but sees no advantage, given that the Claimant has identified no prejudice and the Hearing is unaffected.

16. The Court's power under RDC 4.2(1) extends to an application made after the time for compliance has expired. The extension granted runs from the original Deadline, so the Defendant is not in default of paragraph 3 of the Consent Order.

E. Consequential matters

17. The date for the Claimant's reply evidence in paragraph 4 of the Consent Order must be adjusted to reflect the extension. The Consent Order allowed the Claimant 14 days after the Defendant's evidence. The Court preserves that interval and extends the time for the Claimant's reply evidence to 4pm on 9 November 2026.

18. The Extension Application seeks more time for the Defendant's "evidence and written submissions". Paragraph 3 of the Consent Order concerns evidence only. Skeleton arguments are governed by paragraph 5 of the Consent Order and RDC 23.63 and 23.64, and are not affected by this Order.

F. Costs

19. The Defendant asks that the Court reserve costs. The Court sees no reason to reserve them. The Extension Application raises discrete procedural questions that the Court is as well placed to decide now as at the Hearing of the Immediate Judgment Application.

20. The Defendant has obtained the extension he sought. However, he sought an indulgence on the day of the Deadline without explaining the delay. The Claimant's opposition has failed, but its refusal to consent to an extension requested only hours before the Deadline was understandable. In the Court's judgment, the just order is that there be no order as to the costs of the Extension Application.

G. Conclusion

21. For these reasons, the Court orders:

(a) The time for the Defendant to file and serve any evidence in response to the Immediate Judgment Application under paragraph 3 of the Consent Order is extended to 4pm (GST) on 26 October 2026.

(b) The time for the Claimant to file and serve any reply evidence under paragraph 4 of the Consent Order is extended to 4pm (GST) on 9 November 2026.

(c) The Hearing remains unchanged.

(d) Save as varied by this Order, the Consent Order remains in full force and effect.

(e) There shall be no order as to the costs of the Extension Application.