THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

SALEM DWELA

Claimant

and

DAMAC PARK TOWERS COMPANY LIMITED

Defendant

AMENDED CASE MANAGEMENT ORDER OF JUSTICE ROGER GILES

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 the Claimant's son, Mr. Waleed Dwela, speaking for the Claimant and Mr Michael Wheater, counsel for the Defendant, at the Case Management Conference held before Justice Roger Giles on 15 April 2021

IT IS HEREBY ORDERED THAT:

Further Statements of Case

1. The Claimant shall file with the Court and serve on the Defendant his Amended Particulars of Claim, including his case in misrepresentation and any case of fraudulent misrepresentation, by **4pm on 6 May 2021**.

2. The Defendant is permitted to bring a Counterclaim against the Claimant in respect of unpaid service charges and any claim for specific performance.

3. The Defendant shall file with the Court and serve on the Claimant, its Amended Defence and any Counterclaim by **4pm on 27 May 2021**.

4. Pursuant to RDC Rule 18.20, the Claimant and Defendant may serve fresh statements of case and they are not required to show the original text.

5. The Claimant shall file with the Court and serve any Reply and Defence to Counterclaim pursuant to RDC Rule 16.16 by 4pm on 10 June 2021.

Requests for Information (RDC Part 19)

6. The parties shall serve any requests for further information under RDC Rule 19.5 by **4pm on 17 June 2021**.

Agreed List of Issues

7. The parties shall agree an updated list of common ground and issues in dispute by **4pm on 1 July 2021**.

8. 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.

Production of Documents (RDC Part 28)

9. Standard production of documents shall be made by each party by **4pm on 8 July 2021**.

10. The parties shall file and serve a Request to Produce[1], if any, by 4pm on 15 July 2021.

11. Objections to Requests to Produce, if any, shall be filed and served within 7 days thereafter and in any event by **4pm on 22 July 2021**.

12. Where objections to any Requests to Produce[2] have been made, the Court shall determine those objections and shall make any disclosure order within the following 14 days and in any event by **4pm on 5 August 2021**.

13. The parties shall comply with the terms of any Disclosure Order and file a Document Production Statement within 21 days thereafter and in any event by **4pm on 26 August 2021**.

14. Where there are no objections to a particular Request contained in a Request to Produce, documents responsive to that request shall be produced within 21 days from the date of the Request to Produce, and in any event by **4pm on 12 August 2021**.

Witness Statements (RDC Part 29)

15. Signed statements of witnesses of fact, and hearsay notices where required by the RDC shall be exchanged 3 weeks following the close of the disclosure stage, and in any event by **4pm on 16 September 2021**.

16. Any Witness Statement evidence in reply shall be filed and served within 2 weeks thereafter and in any event by **4pm on 30 September 2021**.

17. Unless otherwise ordered, Witness Statements shall stand as evidence in chief of the witness at trial.

Progress Monitoring Date (RDC Part 26)

18. The Progress Monitoring Date shall be listed at **10am on 14 October 2021**.

19. The parties shall file and serve a Progress Monitoring Information Sheet at least three clear days before progress monitoring date and in any event by **4pm on 10 October 2021**.

Trial Bundles (RDC Part 35)

20. Agreed trial bundles shall be filed and served no later than 2 weeks before trial.

Reading List and Trial Timetable (RDC Part 35)

21. An agreed reading list for trial along with an estimate of time required for reading and an estimated timetable for trial shall be filed with the Court by the Claimant no later than two clear days before trial and in any event by **4pm on 30 November 2021**.

Skeleton Argument and Chronology (RDC Part 35)

22. Skeleton Arguments and Written Opening Statements shall be filed and served two clear days before the start of trial for the Claimant and in any event by **4pm on 30 November 2021** and one clear day before the start of trial for the Defendant and in any event by **4pm on 1 December 2021**.

23. The parties shall prepare an agreed Chronology of significant events cross-referenced to significant documents, pleadings and witness statements which shall be filed with the Court by the Claimant by **4pm on 30 November 2021**. In the event that there are areas of disagreement, the Chronology shall include an agreed Chronology and a Chronology of events which are disputed, with the parties' respective positions outlined therein.

Trial (RDC Part 35)

24. The trial of this matter shall be listed at 10am on 5 December 2021 with an estimated duration of two days.

25. Costs of the Case Management Conference are costs in the case.

26. The parties shall have liberty to apply.

Issued by:
Nour Hineidi
Registrar
Date of issue: 19 April 2021
Date of re-issue: 20 April 2021
At: 11.00am