Claim No. CFI-033-2017

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

BANKMED (SAL) TRADING IN THE DIFC UNDER THE TRADE NAME BANKMED (DUBAI)

Claimant

and

(1) FAST TELECOM GENERAL TRADING LLC

(2) ALI MOHAMMED SALEM ABU ADAS

(3) MOHAMMAD JAWDAT AYESH MUSTAFA AL BARGOUTHI

(4) SAIF SAEED SULAIMAN MOHAMED AL MAZROUEI

(5) IBRAHIM SAIF HORMODI

(6) AHMED ABDEL KADER HAMDAN ZAHRAN

Defendants

DEFAULT JUDGMENT MADE BY JUDICIAL OFFICER NASSIR AL NASSER

UPON the request made by the Claimant on 18 July 2019 for a Default Judgment against the Second Defendant ("**Request**") in accordance with Rule 13.1 (1) and (2) of the Rules of the DIFC Courts ("RDC");

AND PURSUANT TO the Court's general case management powers under Rule 4.2 of the RDC;

IT IS HEREBY ORDERED THAT:

1. The request is stayed until the outcome of the Jurisdiction Application filed by the Second Defendant on 8 July 2019.
2. Costs of the Request shall be costs in the case.

Issued by:

Nour Hineidi

Deputy Registrar

Date of issue: 23 July 2019

At: 12pm

SCHEDULE OF REASONS

1. On 8 July 2019, the Second Defendant filed an Application Notice CFI-033-2017/10 (the "**Application**") challenging the DIFC Courts Jurisdiction.
2. The DIFC Courts' Registry has no evidence of whether the Second Defendant served the Application on the Claimant.
3. On 18 July 2019, the Claimant filed the Request against the Second Defendant. In the Request, the Claimant mentioned that the Second Defendant had a deadline to file his defence pursuant to the Order of H.E. Justice Omar Al Muhairi dated 12 November 2018, in which he failed to do so.
4. Although there was no evidence of service, the Claimant in his request for default Judgment alleged that the Second Defendant's Application dated 8 July 2019 is in violation of Part 12 of the Rules of the DIFC Courts.
5. I will not discuss the merits or decide the Application as it has its own route, but pursuant to the case management powers under part 4 of the Rules of the DIFC Courts, I shall stay the Request until the Application is determined.