BEFORE THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN:

KBC ALDINI CAPITAL LIMITED

Claimant

-and-

DAVID BAAZOV

First Defendant/Part 21 Claimant

CANACCORD GENUITY CORP

Second Defendant

CANACCORD GENUITY (DUBAI) LIMITED

Third Defendant

-and-

(1) ALEKSEI CHEGODAEV

First Part 21 Defendant

(2) FERDYNE ADVISORY INC.

(a company incorporated in the British Virgin Islands)

Second Part 21 Defendant

RE-AMENDED CASE MANAGEMENT CONFERENCE ORDER OF JUDICIAL OFFICER MAHA AL MEHAIRI

UPON reviewing the Court file

AND UPON reading the Case Management Bundle

AND UPON reviewing the Rules of the DIFC Courts ("**RDC**")

AND UPON the First Defendant's oral application made on 23 June 2019 seeking an Order:

(a) for permission to call an expert and to file and serve an expert's report in relation to the quantification of the Claimant's loss (if any) pursuant to RDC 31.13;

(b) permitting substituted service by an alternative method of all further documents and pleadings exchanged in these proceedings on the First and Second Part 21 Defendants pursuant to RDC 9.31; and

(c) for permission to allow the First Defendant to provide evidence through a video link pursuant to RDC 29.14.

AND UPON the Second and Third Defendants' oral application for permission to call an expert and to file and serve an expert's report in relation to issues of Canadian Law.

AND UPON hearing Counsel for the Claimant, Counsel for the First Defendant and Counsel for the Second and Third Defendants at the Case Management Conference held before Judicial Officer Maha Al Mehairi on 23 June 2019

IT IS HEREBY ORDERED BY CONSENT THAT:

Production of Documents (RDC Part 28)

1.Standard production of documents shall be made by each party by 4pm on **29 August 2019**.

2. Parties to file and serve any Request to Produce[1] by 4pm on **19 September 2019**.

3. Objections to Requests to Produce[2] (if any) shall be filed and served by 4pm on **26 September 2019**.

4. Where there are no objections to a particular request contained in a Request to Produce, documents responsive to that request shall be produced by 4pm on **3 October 2019.**

5. Where objections to any Requests to Produce have been made, the Court shall determine those objections and will make any order by 4pm on **17 October 2019.**

6. The parties shall comply with the terms of any order made under paragraph 5 of this Order and file a Document Production Statement by 4pm on **31 October 2019**.

Expert Reports (RDC 31.13)

7. The First Defendant and the Second and Third Defendants' oral applications for permission to each call an expert witness and serve an expert report (as referred to in the recital to this Order and individually referred to as the "Expert Application") shall be stayed until after the completion of production of documents (in accordance with paragraph 6 above), following which the First and/or Second and Third Defendants may apply to re-list their Expert Application.

8. In the event that the First and/or Second and Third Defendants apply to re-list their Expert Application, any application which the Claimant wishes to make for permission to call an expert witness and serve an expert report shall be heard at the same time as the First and/or Second and Third Defendants' Expert Application.

9. The latest date for any party to apply to re-list an oral application or to issue a new application for permission to call an expert witness or serve an expert report shall be 4pm on **19 December 2019**.

10. If a party applies for permission to call an expert witness and serve an expert report they must identify:

a. the field in which they wish to rely on expert evidence; and

b. where practicable, the expert in that field on whose evidence they wish to rely.

Evidence by Video Link (RDC 29.14)

11. The First Defendant's application for evidence to be given by video link shall be stayed until after the completion of production of documents (set out in paragraphs 1 to 6 above), following which the First Defendant may request that the application be re-listed on not less than 14 days' notice.

Witness Statements (RDC Part 29)

12. Signed statements of witnesses of fact, and any notices to rely on hearsay evidence shall be exchanged by 4pm on **5 December 2019**.

13. Any witness statement evidence in reply shall be filed and served by no later than 4pm on **9 January 2020**.

14. Unless otherwise ordered, witness statements shall stand as evidence in chief of the witness at trial.

Substituted Service on First and Second Part 21 Defendants (RDC 9.31)

15. Pursuant to RDC 9.31, the First Defendant shall have liberty to serve all further pleadings and proceedings herein on the First and Second Part 21 Defendants in the manner and by the alternative method of service as follows:

1. Service on the First Part 21 Defendant, Mr Chegodaev, by:

(a) Email at the known email address `tets@gmail.com'; and

(b) Registered Courier to both known addresses for Mr Chegodaev

Trial (RDC Part 35)

16. The trial of this matter shall be listed at 10am on 8 March 2020 with an estimated duration of 5 days.

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

18. The parties shall have liberty to apply.



Issued by:

Nour Hineidi

Deputy Registrar

Date of issue: 13 November 2019

Date of re-issue: 13 November 2019

At: 3pm