Claim No: CFI 016/2025

IN THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

OMAR BEN HALLAM

Claimant

and

NATIXIS

Defendant

ORDER WITH REASONS OF H.E. DEPUTY CHIEF JUSTICE ALI AL MADHANI

UPON the claim being filed on 24 February 2025 (the "Claim")

AND UPON the defence being filed by the Defendant on 28 March 2025 (the "Defence")

AND UPON Application Notice CFI-016-2025/1 filed by the Claimant on 16 May 2025 seeking an extension of time to file a reply to the Defence and the postponement of the Case Management Conference currently listed to be before H.E. Deputy Chief Justice Ali Al Madhani on 24 June 2025 (the "Extension Application")

AND UPON reviewing the parties' submissions on the Court file

AND PURSUANT TO Part 16 of the Rules of the DIFC Courts ("RDC")

IT IS HEREBY ORDERED THAT:

1. The Extension Application is dismissed.

2. The Claimant shall bear the costs of the Application.

3. The parties shall file their costs submissions of no longer than three pages by no later than **4pm on Thursday, 19 June 2025.**

Issued by:
Hayley Norton
Assistant Registrar
Date of issue: 12 June 2025
At: 2pm

SCHEDULE OF REASONS

1. This Extension Application is brought by the Claimant seeking a retrospective extension of time to file its Reply to Defence to 16 June 2025, and further requests that the Case Management Conference - currently listed on 24 June 2025 - be subsequently postponed. An alternative date has not been proposed.

2. As per RDC 16.16, a reply to the defence must be filed within 21 days of service of the defence. The Defence was filed on 28 March 2025, and so as per the rule the reply should have been filed and served on 18 April 2025 by 4pm.

3. The Extension Application - filed on 16 May 2025 - relies on RDC 16.18, which reads:

> "In some cases, more than 21 days may be needed for the preparation, service and filing of a reply. In such cases an application should be made on paper for an extension of time and for a postponement of the case management conference."

4. In his Statement of Case for the Extension Application, the Claimant explains that:

> "In view of the sensitive and substantial nature of the claim, and in accordance with the nature and complexity of the issues involved, the Claimant deems it necessary to be afforded sufficient time to prepare its Reply comprehensively and with due diligence, so as to assist the Court meaningfully in the resolution of the issue agreed upon, but not yet scheduled, be fixed for a later date convenient to the Parties and the Registry."

5. In order to satisfy a request for an extension of time, as per the wording of RDC 16.18, an extension must be justified even if an application is made after the time for compliance has expired pursuant to RDC 4.2(1).

6. Put simply, I am not satisfied that any attempt at justification has been made in these submissions. By the time of filing the Extension Application, there had been a four week lapse since the original deadline set by RDC 16.16, and yet another four weeks was requested which would

subsequently delay the Case Management Conference and the case progression. In my view, such a time lapse would require significant justification and highly unusual circumstances to be entertained, but instead a flimsy, broad and generic reason was submitted that does not begin to explain why the Claimant needed eight weeks to respond.

7. As highlighted by the Defendant, a reply to the Defence is optional. Time limits must be obeyed and in order to justify the Court granting an extension of time there must be material on which the Court can exercise its discretion.

8. As there has not been any admissible reason submitted for this retrospective Extension Application, I see no reason for the Court to exercise its discretion in favour of the Claimant in this instance, and so the Application is dismissed in its entirety. Consequently, the Claimant shall cover the costs of the Extension Application. Costs submissions shall be made by both parties, not exceeding 3 pages, within 5 working days from the date of issue of this Order.