THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

(1) KLESTA ESHJA
(2) HAIR CREATORS SALON LLC

Claimants

and

(1) SALAH MASRI aka SALAH MOHAMED ADEL AL MASRI
(2) HAIR CRAFTERS COMPANY LTD (TRADING NAME THE GROVE SALONS) aka HAIR BY SALAH
(3) LULIIA VALIULLINA

Defendants

ORDER WITH REASONS OF H.E. JUSTICE THOMAS BATHURST

UPON the Order with Reasons of H.E. Justice Thomas Bathurst dated 24 March 2026 (the "Order")

AND UPON the First, Second and Third Defendants' Application No. CFI-066-2024/12 dated 30 March 2026 seeking reconsideration of the Order (the "Application")

IT IS HEREBY ORDERED THAT the Application is dismissed.

Issued by:
Hayley Norton
Assistant Registrar
Date of issue: 23 July 2026
At: 3pm

SCHEDULE OF REASONS

1. By an order made on 7 August 2025 I granted leave to the First, Second and Third Defendants (collectively called the "Defendants") to amend their Statement of Defence. I also ordered the Defendants pay the Claimants their wasted costs arising from the amendment including any costs incurred by the Claimants in connection with procedural steps taken and applications filed pertaining to such amendments.

2. I subsequently made orders that the amended pleadings be struck out and ordered that the Defendants pay the costs of the strike out application.

3. On 9 September 2025, the Claimants filed a Statement of Costs claiming a total amount of AED 735,299.25 comprising AED 722,275.50 for professional fees and AED 12,953.75 for disbursements.

4. In the Order with Reasons dated 24 March 2026 (the "Order"), I assessed the costs payable to the Claimants in an amount of AED 343,953.75. This Order should be read in conjunction with those reasons.

5. The Defendants have applied for a review of my orders. The application is said to be made under Rule 38.21 of the Rules of the DIFC Courts ("RDC") which requires the costs be proportionally and reasonably incurred and proportionate and reasonable in amount, RDC 38.23 which requires certain matters to be taken into account in making a costs order and the general provisions of RDC Part 38 which involved restrictions on the making of costs orders and security for costs.

6. The Defendants first asserted the Claimants were in breach of RDC 38.9(1), RDC 38.63 and RDC 28.62 apparently on the basis that they filed and relied on a partial version of the contract in their original Particulars of Claim dated 7 January 2025. Whether this is correct or not it has nothing to do with the fact that the Amended Defence was struck out primarily on the basis it was filed following the improper use of artificial intelligence.

7. The Defendants also contend in effect that I failed to consider as wasted costs time spent in reviewing supporting documents outside the scope of the strike out application. This was the very reason I reduced the amount sought by the Claimants by in excess of over 50%. I have further reviewed the material and see no reason to make a further reduction.

8. The Defendants have sought in the alternative an order that the payment of the costs be deferred until the conclusion of the trial or an order that the costs be paid by way of reasonable instalments taking into account the Defendants' financial circumstances. However, on the material available to me and in the absence of any submissions from the Claimants, I would not be prepared to make such an order. Should such an order be sought application should be made to an appropriate court officer.

9. In the circumstances, I dismiss the Application.