Claim No. ARB 043/2025

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

ORATIO

Claimant/Respondent

and

ORANGIA

Defendant/Applicant

ORDER WITH REASONS OF H.E. JUSTICE SHAMLAN AL SAWALEHI

UPON the Order with Reasons of H.E. Justice Shamlan Al Sawalehi dated 23 February 2026 dismissing the Applicant's Strike Out Application and granting the Respondent the cost of the Application

AND UPON the Respondent's Statement of Costs dated 25 February 2026

AND UPON considering Part 38 of the Rules of the DIFC Courts ("RDC") and Practice Direction No. 4 of 2017 (Interest on Judgments)

IT IS HEREBY ORDERED THAT:

1. The Applicant shall pay the Respondent 80% of the Respondent's costs of the Strike-Out Application in the total sum of AED 24,589.44 (the "Costs Award").

2. The Applicant shall pay the Costs Award within 14 days of the date of this Order, pursuant to RDC 38.40.

3. In the event that the Applicant fails to pay the Costs Award within 14 days of the date of this Order, interest shall accrue at the rate of 9% per annum from the date of this Order until payment in full, in accordance with Practice Direction No. 4 of 2017.

Issued by:
Delvin Sumo
Assistant Registrar
Date of Issue: 3 March 2026
At: 12pm

SCHEDULE OF REASONS

1. This Order concerns the assessment of the Respondent's costs following the dismissal of the Applicant's Strike-Out Application.

2. By paragraph 2 of the Order dated 23 February 2026, the Court ordered that the Applicant pay the Respondent's costs of the Strike-Out Application.

3. The Respondent filed a Statement of Costs dated 25 February 2026 claiming the amount of AED 30,736.80. The costs claimed comprise 8 hours and 54 minutes of partner time at AED 3,298 per hour and 30 minutes of paralegal time at AED 1,450 per hour. The Strike-Out Application was determined following written evidence and an oral hearing.

4. In assessing costs on the standard basis, the Court has had regard to RDC 38.7, 38.21 and 38.23. The Court must determine whether the costs claimed were reasonably incurred, reasonable in amount, and proportionate to the matters in issue.

5. The Court is satisfied that it was reasonable for the matter to be conducted by a senior practitioner and that the hourly rates claimed fall within the range ordinarily seen in commercial litigation before the DIFC Courts.

6. However, in the exercise of my discretion, and to ensure that the recovery reflects proportionality, the Court considers it appropriate to allow 80% of the total claimed costs.

7. Accordingly, the Court awards the amount of AED 24,589.44, together with interest as provided in the order above.