THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURTS OF FIRST INSTANCE

BETWEEN

ODILO

Claimant

and

ODOLFF

Defendant

ORDER WITH REASONS OF H.E. JUSTICE RENE LE MIERE

UPON the Claimant's Part 7 Claim dated 26 August 2025 (and amended on 9 September 2025)

AND UPON the Case Management Order of H.E. Justice Rene Le Miere dated 23 December 2025 (the "CMO")

AND UPON the Preliminary Issues Trial listed before H.E. Justice Rene Le Miere on 19 February 2026 (the "Preliminary Issues Trial")

AND UPON the Claimant's Application No. CFI-080-2025/1 dated 27 January 2026, seeking to strike out and/or exclude the reliance on all or parts of the Defendant's witness statements and exhibits filed for the Preliminary Issues Trial (the "Application")

AND UPON the Defendant's evidence in answer dated 3 February 2026

AND UPON the Claimant's evidence in reply dated 5 February 2026

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

IT IS HEREBY ORDERED THAT:

1. With the exception of the directions below, the Application is dismissed.

2. The Preliminary Issues Trial remains listed for 19 February 2026.

Identification and LateProduced Material

3. By no later than **4pm on 10 February 2026**, the Defendant shall serve a schedule identifying each document first produced with the witness statements on 20 January 2026, stating:

(a) when and how it came to light; and

(b) its relevance to the Preliminary Issues.

4. The Defendant has conditional permission to rely on such documents, subject to compliance with paragraph 3 and the redaction directions. Failure to comply will mean the documents may not be relied upon without further order.

Redactions

5. By no later than **4pm on 10 February 2026**, the Defendant shall serve a Redaction Schedule, identifying each redaction and stating whether the basis is privilege or irrelevance, with brief reasons. Where the Claimant disputes relevance, the Defendant shall provide unredacted copies to the Court (and to the Claimant under an agreed confidentiality undertaking or ring). Any unjustified redaction will not be relied upon at Preliminary Issues Trial.

Reply Evidence and Timetable

6. The Claimant has permission to serve reply witness evidence confined to matters arising from:

(a) the lateproduced documents identified under paragraph 3; and

(b) any newly unredacted material,

by no later than **4pm on 14 February 2026**.

7. The parties shall file a joint updated bundle index identifying the exhibits on which each party intends to rely for the Preliminary Issues only, by no later than **4pm on 16 February 2026**, and shall ensure that any passages of the Defendant's witness statements to which relevance objections are maintained can be clearly identified immediately before the witnesses give evidence, to facilitate rulings on admissibility or reception de bene

esse.

Costs

8. Costs of the Application are reserved to the judge hearing the Preliminary Issues Trial.

Issued by:
Hayley Norton
Assistant Registrar
Date of issue: 9 February 2026
At: 9am