



**DIFC COURTS' USERS' COMMITTEE
MEETING MINUTES
10 April 2014 at 2pm
DFSA Boardroom, Level 13, DFSA**

Committee Attendees:

Hassan Al Arab, Al Tamimi & Company

Sana Merchant (delegate for Peter Gray), Gibson Dunn

Rebecca Kelly (delegate for Alec Emmerson), Clyde & Co

Faridah Sarah, Galadari Advocates and Legal Consultants

Sheila Shadmand, Jones Day

Issa Baddour, Governor's Office

Michael Ridgeway, DFSA

Amna Al Owais, Deputy Registrar

Cheryl Fernandes, Committee Secretary

Guests:

Natasha Bakirci, Assistant Registrar, DIFC Courts

Hajar Al Mas, Manager Events and External Relations, DIFC Courts

Apologies:

Mark Beer, Registrar DIFC Courts

Adrian Chadwick, Hadeef & Partners

Roberta Calarese, DIFCA

1. Welcome by Chairman:

Deputy Registrar Amna Al Owais chaired the meeting and welcomed all attendees- in particular Faridah Galadri who will be representing Galadari Advocates and Legal Consultants and Alec Emmerson representing Clyde and Co.

2. Approval of the last minutes of meeting

The Minutes of the CUC meeting on 15 January 2014 were approved.

3. Caseload Statistics:

- **Court of First Instance:** 8 CFI cases filed until now in 2014
- **Court of Appeal:** 3 CA cases filed until now in 2014
- **Enforcement:** 4 Enforcement cases filed until now in 2014
- **Arbitration cases:** 1 Arbitration cases filed until now in 2014
- **Small Claim Tribunal:** 26 SCT cases filed until now in 2014

4. Courts' Activities – Registrar update:

The Deputy Registrar gave an update on the Courts' activities since January 2014:

6 February: The Indian Business and Professional Council (**IBPC**) took place at Crowne Plaza Dubai, and was attended by Chief Justice Michael Hwang and Registrar Mark Beer.

13 February: The Jessup Moot Court held at the DIFC Courts, HE Judge Ali Al Madhani participated as one of the Judges.

26 February: Institute of Directors (IoD) event was held in UK, Registrar Mark Beer spoke at the event.

20 March: The Australian and the Canadian Business Council held in Dubai where Registrar Mark Beer addressed a business luncheon.

30 March: DIFC Courts second General Counsel Forum meeting, the first of 2014 was chaired by Sir Anthony Colman. HE Justice Shamlan Al Sawalehi, Registrar Mark Beer and Judicial Officer Nassir Al Nasser also attended the forum.

7-9 April: HE Judge Shamlan Al Sawalehi attended a conference in Kuwait as part of DIFC Courts outreach efforts to communicate and educate Arabic speaking Lawyers in the UAE and MENA region.

5. Delegation received at the DIFC Courts:

- CBL International visited the DIFC Courts on 5 January
- The George Washington University, School of Business, MBA Program delegation visited the DIFC Courts 6 January
- British Business Delegation visited the DIFC Courts 28 February
- Malaysian Delegation visited the DIFC Courts 4 March

6. Conference Representation:

- Registrar Mark Beer participated in the 8th GCC Regulators Summit in Dubai in February.
- HE Judge Shamlan Al Salawalehi and Registrar Mark Beer attended the Hawkamah Judicial and Financial Colloquium in Dubai on the 18-19 March.
- HE Judge Shamlan Al Salawalehi attended the Middle East Investment Summit Dubai in March.
- The DIFC Courts Annual Report was handed over to the UAE Vice President and Prime Minister and Ruler of Dubai HH Sheikh Mohammed Bin Rashid Al Maktoum by Chief Justice of DIFC Courts Michael Hwang.
- Deputy Registrar Amna Al Owais also informed the CUC members that a Memorandum of Guidance was signed between the DIFC Courts and the Federal Court of Australia which sets out procedures for mutual enforcement of decisions between the two Courts.
- Contact with New York state and Federal Courts: The Courts Users Committee had suggested that we focus on establishing relationships with the US Courts and, in particular, with the New York State Courts. Registrar Mark Beer is currently reaching out to the Hon. Jonathan Lippman, Chief Judge of the State of New York, to propose the signing of a Memorandum of Guidance.
- HE Judge Ali Al Madhani and Judicial Officer Nassir Al Nasser visited Saudi Arabia in January to build relations and introduced the laws, jurisdiction and procedures of the DIFC Courts and how it operates which interested the Minister of Justice and some members of the Supreme Council of Magistracy. Members of the Supreme Council of Magistracy

from Saudi Arabia visited the DIFC Courts on the 10 February to know more about the Courts as a follow up visit. HE Judge Ali Al Madhani is exploring on drafting a Memorandum of Understanding.

7. Media coverage:

The Courts continue to receive good coverage in both Arabic and English newspapers – details of which were provided at the meeting.

8. DIFC Courts Academy Project:

Deputy Registrar Amna Al Owais updated the CUC members about how the DIFC Courts Academy will look like and we that we are considering the Singapore Law Academy as a model. The establishment policy paper is approved by Chief Justice and will be shared with the Courts' Users' Committee in due course.

9. Pro Bono:

Deputy Registrar Amna Al Owais informed the CUC members that official letters were sent out from the Chief Justice, Michael Hwang to Government and semi-Government Departments. We received inquiries from many government departments including RTA, Immigration, Department of Economic Department, Dubai Municipality, Dubai Customs and many more.

The second Pro Bono seminar will be in May 2014: seminar would target newly joined lawyers to give them an insight about the Courts and pro bono programme.

10. Progress of the Rules of the DIFC Court:

Assistant Registrar Natasha Bakirci informed the members of the CUC that the final amended rules were published on the 8 April 2014 and that a press release was distributed. The Rule book with commentary will be published by October 2014.

She also updated the members of the CUC that the fourth Academy session began on 20.01.2014 and that the Academy now comprises of 3 more subjects. Participants can apply for CPD points once they complete the Academy programme successfully. Fresh registrations are now being taken for the next Academy session, due to start in September 2014.

The Advocacy training course took place on the 8 February at DIFC Courts and was conducted by Deputy Chief Justice Sir John Chadwick, Phillip Punwar and Sheila Shadmand. The next course will be in

November.

11. Annual Judges' Meeting & Legal Gala Dinner:

Sheila Shadmand chairing the committee set up for organizing the gala dinner confirmed that the date has been fixed for Thursday, 9 October. She encouraged ideas for the event from members of the legal community to make it a memorable evening.

12. New Proposed DIFC Courts Website:

On behalf of Lema Hatim, Hajar Al Mas, Manager Events and External Relations shared the new proposed website with the CUC members, which received a good feedback.

13. Next meeting dates agreed:

Thursday, 18 September 2014

Thursday, 11 December 2014

Meeting closed at 3.15pm