

منطقة البوابة
مركز دبي المالي العالمي
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www.difccourts.ae

Ground Level, Building 4
The Gate District
Dubai International
Financial Centre
PO Box 211724,
Dubai UAE

Tel +971 4 427 3333
Fax +971 4 427 3330
www.difccourts.ae

BY EMAIL AND COURIER

David Haigh
C/O The Priory Hospital
Heath House Lane, Stapleton
Bristol
Avon
BS16 1EQ
England

20 September 2016

CA-002-2016 (David Lawrence Haigh v GFH Capital Limited)

Dear Mr Haigh

1. As you have still not officially appointed Keystone Law (or any other solicitors) as your lawyers of record in this case, we are writing to you directly. However, a copy of this letter will be sent to Keystone Law so as to ensure that they are kept informed and can give you timely advice if asked to do so.
2. We are also sending this letter to you at the Priory Hospital's address in Bristol as you have given no official address for service of court documents (contrary to the Rules of the DIFC Courts (RDC) 9.15) and hence in default we have to serve you at your usual or last known residence (pursuant to RDC 9.19), and the Priory Hospital is the only address where you have said you will be residing for the next few weeks.
3. We write to inform you of the decisions taken at the hearing on Sunday 18 September 2016 in the absence of yourself or any legal representatives on your behalf, despite being notified of the hearing date.
 - 3.1 The Court of Appeal decided that it would determine all the matters placed before it for determination, in particular the 3 applications filed by you personally. Some decisions were made on your substantive applications, with others being deferred pending your response to this letter.
 - 3.2 The decisions made by the Court of Appeal were as follows.
 - 3.2.1 The Orders of Court dated 10 August 2016 and 6 September 2016 will stand unamended. As a consequence, the Releasing Funds Appeal remains struck out as previously ordered, as you have not fulfilled the condition on which permission to appeal was granted, viz, to file your skeleton argument by the specified date despite several extensions. The Claimant's Application for Immediate Judgment ("the I-J Application") will remain fixed for hearing as originally scheduled, save that the length of the hearing has been reduced

to 2 days, viz, **October 17 and 18**. Subject to any further Order that may be made by this Court after hearing your response to this letter as provided below, these dates are not subject to change, except by the Judge eventually assigned to hear the I-J Application.

- 3.2.2 Your Witness Statement in reply to the Third Witness Statement of Mr Jinesh Patel filed in support of the I-J Application must be filed with the Court electronically by 9pm Dubai time on **3 October 2016**. This date is slightly earlier than the date fixed by this Registry's email of 10 August 2016, but the change is to enable you to have more time before the hearing date to consider the Claimant's Responsive Witness Statement to your Witness Statement.
 - 3.2.3 The Claimant must file its Responsive Witness Statement by 10 October 2016 (a change from the original date fixed in the Registry's email of 10 August 2016), which will give you a week to prepare your Oral Submissions for the hearing of the I-J Application.
 - 3.2.4 You are therefore advised to commence preparation of your Witness Statement immediately as applications for further extensions of your filing date will not be entertained.
 - 3.2.5 A verbatim transcript of Sunday's hearing is being prepared, and will be sent to you when it is available, hopefully by the end of the week. Copies of the Bundles of Core Documents prepared by Bryan Cave for Sunday's hearing will be dispatched to you and Keystone Law (as mentioned in the first paragraph of this letter) which will assist you to understand the references made by Counsel and the Court at the hearing to documents in those Core Bundles.
 - 3.2.6 You are ordered to file your response to the Oral Submissions of the Claimant made in open court within 2 weeks after the transcript and bundles have been delivered to you. We expect service to be effected by this coming Friday and, on that basis, your response would be due on 7 October 2016.
 - 3.2.7 We will then issue our decisions made on the 3 applications you have filed on 11 September 2016 (hopefully in the first half of the week of 10 October) and will communicate such decisions to you, but it is likely that the reasons for our decisions will be given separately.
4. These changes in the filing dates will supersede the relevant oral orders made at Sunday's hearing (which will be found in the transcript).
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5. Please acknowledge receipt.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'Mark Beer', written over the typed name.

Mark Beer
Registrar

Cc: Keystone Law
Bryan Cave
