

---

**From:** jeffrey epstein <jeevacation@gmail.com>  
**Sent:** Sunday, December 4, 2011 10:46 AM  
**To:** Sultan Bin Sulayem  
**Subject:** Re: The DIFC Court "Goes global

George Mitchell is my very=close friend and chairman of piper

Sent from my iPad

O= Dec 4, 2011, at 4:28 AM, Sultan Bin Sulayem <[REDACTED]>  
<mailto:[REDACTED]> wrote:  
<=r>

If you have problems viewing this email, yo= can view it as a web pa=  
<<http://information.dla.com/rs/vm.ashx?ct=24F76D1CD2E50AED=1D180A9DA2B921BDEBE7BB3D38714DD4CF371647BF8D90DDD78030>> .  
<ATT00001..bin>

LEGAL AL=RT

DECEMBER 2011

<=h1>

</=ont>

The DIFC Court "Goes Global"<=b>

A recent development in Dubai's court system has expanded the scope of th= DIFC Courts' jurisdiction so that it is now available as an =9Copt in" jurisdiction to all parties worldwide. This is a potentia=ly significant development, which could have a considerable impact on compa=ies and individuals who are considering appropriate dispute resolution mech=nisms for contracts and disputes in the Middle East.

This development could lead companies to select the DIFC Courts to resolv= their disputes regardless of where they are in the world. We envisag= that this change will in particular have a significant impact on financial=institutions operating in the MENA region, among others, and as such we bel=eve that this is a development that all businesses, whether currently opera=ional in the Middle East or planning to expand into the region, should be a=are of.

What has happened?

We await publication of the legislation, but the DIFC Court has announced=that a decree has been promulgated which extends the scope of the jurisdict=on of the Courts of the Dubai International Financial Centre ("DIFC"= so that parties

anywhere in the world can agree to refer their disputes to=the DIFC Courts, regardless of whether there is any connection between the s=bject matter of their dispute and the DIFC. In other words, two or more con=racting parties that have no connection whatsoever with the DIFC can now ch=ose to have their disputes resolved before the DIFC Courts.

Why is this significant?

This is a potentially game-changing event for dispute resolution in the M=iddle East region because:

1. The DIFC Court is a state-of-the-art common law court whose procedures=are based on the English civil procedure rules (with the ability to grant s=ummary judgment), and whose judges comprise very experienced former judges f=om the senior courts of (for example) England, Singapore and New Zealand;</=>
2. Judgments rendered by the DIFC Courts can be enforced in the onshore D=bai courts as Dubai court judgments and this has happened on numerous occas=ons;
3. In contrast to many offshore courts, parties in the DIFC Court can be a=arded the bulk of their legal and expert costs and expenses;
4. Dubai is signatory to two conventions providing for the recognition an= enforcement of court judgments in many countries in the MENA Region. =These are:

- \* the 1983 Convention on Judicial Co-operation between States of the Arab League (the "Riyadh Convention"), to which all of the Gulf Cooperation=Council ("GCC") countries, as well as Iraq, Palestine, Sudan, Mauret=nia, Somalia, Tunisia, Jordan, Morocco, Libya, Algeria, Yemen and Syria are=signatory[=]; and
- \* the 1995 Protocol on the Enforcement of Judgments Letters Rogatory,=and Judicial Notices issued by the Courts of the Member States of the Arab G=If Co-operation Council (the "GCC Protocol"), to which all of the GC= countries are signatory.

Why should this interest you?

If your company conducts business in the above countries we encourage you=to speak with us to discuss the significance and implications of this new l=islation on your business and in particular, on your existing dispute=resolution policies. We believe that this development may be particul=rly important for:

- \* financial institutions with a presence in the MENA region, as the judges=in the DIFC Courts have experience of handling complex cross-border financi=l disputes, and the power to grant summary judgment;
- \* parties contracting with regional financial institutions;
- \* businesses with a presence in the UAE and in the wider MENA region,=which will need to review their standard and bespoke contracts in light of t=is development; and
- \* clients with an existing business, or planning to do business, in t=e Kingdom of Saudi Arabia since this development may present an alternative=option for dispute resolution in contracts involving the Kingdom of Saudi A=abia.

How can we help?

The DLA Piper dispute resolution team in Dubai is one of the leading disp=te practices in the region. The Dubai team has considerable experienc= with DIFC laws and the DIFC courts and is well-equipped to provide you wit= valuable advice in relation to the implications of this new legislation on=your business and, in particular, your existing dispute resolution policies= In this regard, we can:

- \* come and present to you on this new development, and on dispute resolution options in the region more generally;
- \* conduct a review and analysis of your standard contracts and existing dispute resolution policies;
- \* draft such a policy and/or standard contract and/or bespoke dispute resolution clause where none exists; and
- \* advise on options and strategies for opting into the DIFC courts' jurisdiction for both existing and future contracts.

We strongly encourage you to contact us and discuss how you can take full advantage of this new development in dispute resolution in the Middle East.

For further information, please contact:

[<http://information.dla.com/information/images/Jim%20Delkousis2.jpg>](http://information.dla.com/information/images/Jim%20Delkousis2.jpg)

Jim Delkousis  
Litigation & Regulatory Practice Group Head [REDACTED]

[1] We have not seen the domestic implementing legislation for each of these countries at the time of publication.

---

<=ont color="#bf2296">

#### USEFUL INFORMATION

=/p> <=ont color="#bf2296">

#### KEY CONTACTS

<=ont color="#bf2296">

#### ENQUIRIES

For more information on DLA Piper  
in the Middle East and our practices  
throughout the region,  
please click here.

If you have been sent this bulletin from a colleague and would like to be added to the mailing list, please click here  
<http://information.dla.com/information//RSGenPage.asp?RSID=5P6J0qYhK38J0nqReyfmRMPTU0eajfWYeuUy9l1A0k4>  
> to register.

---

**IMPORTANT NOTE TO RECIPIENTS:** We may supply your personal data to other members of DLA Piper (which may be situated outside the European Economic Area ("EEA")) so that we or they may contact you with information about legal services and events offered by us or them subject to your consent.

It is our policy not to pass any of your personal data outside of the DLA Piper or use your personal data for any purposes other than those indicated above.

This email is from DLA Piper Middle East.

This publication is intended as a general overview and discussion of the subjects dealt with. It is not intended to be, and should not be used as, a substitute for taking legal advice in any specific situation. DLA Piper Middle East will accept no responsibility for any actions taken or not taken on the basis of this publication.

Please note that DLA Piper Middle East does not accept responsibility for viruses and it is your responsibility to scan or otherwise check this email and any attachments.

DLA Piper Middle East LLP is part of DLA Piper, a global law firm, operating through various separate and distinct legal entities.

For further information, please refer to [www.dlapiper.com/middleeast](http://www.dlapiper.com/middleeast)

If you no longer wish to receive information from the UAE or any of the DLA Piper members by e-mail please click [here](#).

<=td>  
<<http://information.dla.com/rs/ct.aspx?ct=24F76D1CD2E50AEDC=D180A9DA2B921BDEBE7BB3D39E0DDD55CE4>>  
NOTE: This email message is subject to the Dubai World Group disclaimer see  
[http://www.dubaiworld.ae/email\\_disclaimer](http://www.dubaiworld.ae/email_disclaimer)

=