محكمة قطر الدولية
ومركز تسوية المنازعات
QATAR INTERNATIONAL COURT
AND DISPUTE RESOLUTION CENTRE

In the name of His Highness Sheikh Tamim bin Hamad Al Thani,

Emir of the State of Qatar

Neutral Citation: [2024] QIC (F) 35

IN THE QATAR FINANCIAL CENTRE

CIVIL AND COMMERCIAL COURT

FIRST INSTANCE CIRCUIT

Date: 1 August 2024

CASE NO: CTFIC0071/2023

AMBERBERG LIMITED

Claimant/Applicant

v

PRIME FINANCIAL SOLUTIONS LLC

1st Defendant

AND

THOMAS FEWTRELL

2nd Defendant

AND

NIGEL PERERA

3rd Defendant

AND

SOUAD NASSER GHAZI

4th Defendant

AND

~~**REMY ABBOUD**~~

~~**5th Defendant**~~

AND

~~**MARC REAIDI**~~

~~**6th Defendant**~~

AND

INTERNATIONAL BUSINESS DEVELOPMENT GROUP WLL

7th Defendant

AND

~~**QATAR GENERAL INSURANCE & REINSURANCE COMPANY QPSC**~~

~~**8th Defendant**~~

JUDGMENT

Before:

Justice Fritz Brand

Order

1. The application for permission to seek the stay or striking out of the costs orders against the Applicant in terms of the judgments of this Court in [2024] QIC (F) 15 and [2024] QIC (F) 16, is refused.

Judgment

1. On 5 June 2024, the Applicant was made the subject of a Litigation Restraint Order ('**LRO**'). Under the terms of the LRO, the Applicant is precluded from making any claims or applications – whether in cases or within extant cases – without permission.

2. On 24 July 2024, by way of an Application Notice, the Applicant sought permission to commence an application (the '**Application**') within *Amberberg Limited v Prime Financial Solutions LLC and others* (CTFIC0071/2023).

3. In short, the Application seeks the following, in the alternative:

    i. The costs orders and their concomitant costs claims by the Defendants in their successful dismissal applications made against the Claimant in two recent judgments of the Court – [2024] QIC (F) 15 and [2024] QIC (F) 16 – be stayed.

    ii. The costs claims of the Defendants in the judgments mentioned in paragraph (i) be struck out, because – in essence – the Claimant has an iron clad cause of action against the First Defendant in this matter which would result in a successful substantive claim and costs order in the Claimant's favour as against the First Defendant.

4. The Application contemplated in paragraph 3(i) above has no prospects of success. No grounds are suggested, nor can any be envisaged, as to why the 5th, 6th and 8th

Defendants' right to execute the costs orders in their favour by virtue of the judgments in [2024] QIC (F) 15 and [2024] QIC (F) 16, should be stayed pending the outcoming of the litigation in case number CTFIC0071/2023 in which they no longer have any interest. The prospect that the Applicant may eventually be successful in recovering these costs from one or more of the remaining parties in the main case does not detract from this principle.

5. By the same token, the application contemplated in paragraph 3(ii) above, to have the final costs orders already made in favour of 5th, 6th, and 8th Defendants struck out on the basis that the Applicant may be able to recover these costs from one of the remaining parties in the main case, is devoid of any hope.

6. These are the essential reasons for holding that the Application for leave sought should be refused.

By the Court,

[signed]

Justice Fritz Brand

A signed copy of this Judgment has been filed with the Registry.

Representation

The Claimant was self-represented.