



**In the name of His Highness Sheikh Tamim bin Hamad Al Thani,
Emir of the State of Qatar**

Neutral Citation: [2026] QIC (F) 62

**IN THE QATAR FINANCIAL CENTRE
CIVIL AND COMMERCIAL COURT
FIRST INSTANCE CIRCUIT**

Date: 23 September 2026

CASE NO: CTFIC0056/2025

AHMED MOHAMED SALEH

Claimant

v

NEXUS FINANCIAL SERVICES WLL

Defendant

AND

CASE NO: CTFIC0059/2025

AHMED MOHAMED SABRA

Claimant

v

NEXUS FINANCIAL SERVICES WLL

Defendant



AND

CASE NO: CTFIC0060/2025

DINO ADRIANO PALAZZI

Claimant

v

NEXUS FINANCIAL SERVICES WLL

Defendant

JUDGMENT

Before:

Justice Ali Malek KC



Order

1. The Court's decision on the Claimants' disclosure requests is set out in Annex A (not for publication) to this judgment.
2. The Court's decision on the Defendant's disclosure requests is set out in Annex B (not for publication) to this judgment.
3. The costs of the applications are reserved.

Judgment

Introduction

1. This decision comprises the Court's ruling on the parties' respective requests for the production of documents as set out in their Redfern Schedules. The Court's decision on the Claimants' requests for the production of documents is set out in Annex A to this judgment (not for publication), and the Court's decision on the Defendant's requests for the production of documents is set out in Annex B (not for publication) to this Order. Each Annex forms an integral part of this judgment.
2. The parties made requests to produce documents pursuant to article 27 of the Rules and Procedures (the '**Rules**') of the QFC Court and pursuant to the Registrar's directions dated 9 July 2026 (as amended by consent on 20 July 2026). These requests were made in accordance with directions of the Court (issued by Justice Sir William Blair) in the Consolidation Order dated 28 July 2026.

Applicable principles

3. Article 27 of the Rules provides:

27.1 The Court, if it considers it necessary, may give directions in relation to the disclosure of documents at any stage of proceedings or proposed proceedings.

27.2. In most cases, each party:

27.2.1. Shall be required to disclose to the other all documents or classes of documents on which it relies.



27.2.2. Shall be entitled to request disclosure of all or any other relevant and specified documents or classes of documents from any other party.

27.3. The Court may direct that a party should not be required to disclose a document or part of a document if it considers that there is good reason for it not to do so.

27.4. Nothing in this Chapter is intended to remove or limit any right that any party may have to assert legal privilege or confidentiality over any document.

4. In its decision the Court has had regard to the Overriding Objective in article 4.1 of the Rules to deal with cases justly, and in particular article 4.3 which provides that dealing with all cases justly includes, so far as practicable:

4.3.1. Ensuring that litigation before the Court takes place expeditiously and effectively, using appropriately no more resources of the Court and the parties than is necessary.

4.3.2. Ensuring that the parties are on an equal footing.

4.3.3. Dealing with the case in ways which are proportionate to the amount of money in dispute, to the importance of the case, to the complexity of the issues, facts and arguments, and to the financial position of each party.

4.3.4. Making appropriate use of information technology.

5. The Court has carefully considered each of the requests, objections and replies made by the parties as set out in their respective Redfern Schedules (although, ideally there should be one consolidated schedule with separate sections for each party). The Court's decision on each individual request is set out in the last column of the parties' respective Redfern Schedules.
6. Where a party has agreed to produce documents no order from the Court is required and this is recorded as "*no order required*".
7. The Court has noted the reservation of rights to request further documents depending on the documents produced.

General observations



8. By way of further explanation of its rulings on the parties' requests, the Court sets out below some general guidelines.
9. Where ordered to do so, the parties are required to produce documents that are within their possession, custody or control.
10. Any documents the production of which is ordered by the Court shall be communicated, within the time limit agreed with the Registrar, directly to the requesting party without copying the Court.
11. The Court's decisions on the parties' document requests are not intended to provide any implied decision on any issue in dispute between the parties.
12. The parties must undertake reasonable searches in relation to the requests that have been granted. Any search that has already been undertaken by the parties does not need to be carried out again, provided that such search was reasonable.
13. The Court directs that where a party wishes to assert privilege, legal impediment or confidentiality over a responsive document that it has been ordered to produce (or as otherwise directed by the Court), it should record that document in a 'Privilege and Confidentiality Log' to be provided to the other side. Each party must produce any Privilege and Confidentiality Log within a timeframe agreed with the Registrar.
14. The Court offers the following guidance to the parties in respect of their Privilege and Confidentiality Logs:
 - i. Where a party considers that a responsive document is subject to privilege, legal impediment or confidentiality, it shall identify any such document on its Privilege and Confidentiality Log (including the date, the name or affiliation of author(s) or sender(s) and recipient(s), and the document title), alongside a non-confidential summary of its contents, the specific exception invoked and justification for asserting privilege, legal impediment or confidentiality.
 - ii. To the extent possible, the parties are also invited to produce redacted versions of any documents allegedly containing privileged or confidential information.



- iii. Privilege and Confidentiality Logs shall be sent to the Court only if, after consultation between the parties, any intervention or additional ruling is required by the Court.
15. The Court notes that the Claimants have sought detailed information from the Defendant seeking confirmation as to searches carried out in making the Defendant's disclosure statement concerning:
- (i) the data sources searched; (ii) the custodians whose documents were reviewed; (iii) the date ranges applied; (iv) any search terms, keywords or other filtering criteria used; and (v) the steps taken to identify, collect and review potentially relevant documents. Pending receipt of that information, the Claimants reserve all rights in respect of the adequacy and sufficiency of the Defendant's disclosure, including the right to seek further searches and/or specific disclosure.*
16. The Court declines at this stage to make an order requiring the Defendant to provide the information sought. As stated above, the Court's power to give directions in relation to disclosure under article 27.1 of the Rules is discretionary and is to be exercised in accordance with the Overriding Objective set out in article 4.
17. The Court is satisfied that the law firms acting for the respective parties are aware of their professional obligations in relation to disclosure, including the duty to make a reasonable search for documents falling within the scope of any disclosure order or direction. The Court expects those obligations to be discharged conscientiously and in good faith.
18. The Court's refusal to make an order at this stage is without prejudice to the Claimants' right to raise the matter again should it become apparent, on a proper review of the documents disclosed, that the Defendant's disclosure is or may be inadequate or incomplete.
19. In that event, the Claimants would be at liberty to make a formal application supported by evidence identifying the respects in which the disclosure is said to be deficient, and the Court will consider what further directions, if any, are appropriate.
20. The Claimants also seek an order that:



... the Defendant be required to write to (a) Mr Vimal Vohra; (b) Ms Leslie Ann Delacruz; (c) Mr Rodrick Allderidge; (d) Ms Tara Quinn; (e) Mr Gary Hines; (f) Mr Alaa Mustafa; and (g) Mr Rudolfs Veiss to request them to give the Defendant's solicitors access to their personal mobile devices and personal email accounts to enable searches for documents and communications responsive to the requests below, and to request that they do not delete any such data.

21. The factual foundation for this application is the Claimants' contention that the Defendant did not issue mobile devices to its employees or personnel. The Claimants say that it follows, or is at least likely, that work-related communications relevant to the issues in these proceedings may have been conducted on personal devices and through personal email accounts. The Claimants wish to ensure that such communications are identified, preserved and made available for inspection.
22. In support of the application, the Claimants rely on the decision of the English Court of Appeal in *Phones 4U Ltd (In Administration) v EE Ltd* [2021] EWCA Civ 116. In that case, the court was concerned with allegations of collusion in the context of competition law claims. The claimant's case was that the defendants had colluded to terminate or not renew agreements, and that such collusion was likely to have been conducted through informal or discreet communication channels, including personal devices rather than corporate systems.
23. The Court of Appeal confirmed that the court had jurisdiction to make an order requiring the defendants to request certain employees and former employees (referred to as "*Custodians*") to provide their personal devices and email accounts to IT consultants instructed by the defendants, for the purpose of searching for work-related communications relevant to the litigation. The mechanism adopted was one under which the IT consultants, rather than the party seeking disclosure, would conduct the searches, subject to undertakings limiting the scope of review to relevant material, prohibiting the disclosure of irrelevant or personal information, and requiring the return of devices after the search was complete. The Court of Appeal recognised that such an order engaged the individuals' rights under article 8 of the European Convention on Human Rights and Fundamental Freedoms, but held that the interference was justified and proportionate in the circumstances of that case.



24. The Court has considered the Claimants' application and the authority on which they rely. Three matters are of particular significance.
25. First, the factual context of *Phones 4U* was materially different from the present case. That case involved allegations of covert collusion of a kind that, by its nature, was unlikely to be recorded on corporate systems, and the court had before it evidence supporting the inference that relevant communications had been conducted on personal devices. The Claimants in the present case have not placed before the Court comparable evidence from which the Court could conclude that there is a real likelihood that relevant documents or communications exist on the personal devices of the individuals identified.
26. Second, the order sought would, in substance, require the Defendant to make a request of individuals over whom the Defendant may have no continuing authority or control, in respect of devices and accounts that belong to those individuals personally and not to the Defendant. The Court is not satisfied that it would be appropriate, at this stage and on the material presently before it, to make an order that purports to impose obligations on the Defendant in respect of property and data held by third parties in their personal capacity.
27. Third, and in any event, the Court notes that the relief sought is not the only means by which the Claimants might obtain the evidence they seek. There is nothing to prevent the Claimants from approaching the individuals concerned directly and inviting them to provide evidence voluntarily. If any of those individuals is willing to assist, no order of the Court is required. If they are unwilling to do so without the Defendant's consent to the disclosure of documents on their personal devices, it is open to the Claimants to seek such consent from the Defendant. Should both avenues prove unfruitful, and should the Claimants be able to demonstrate on proper evidence that there are reasonable grounds to believe that relevant documents exist on personal devices and cannot otherwise be obtained, the position may be reconsidered on a further application supported by appropriate evidence.
28. For these reasons, the Court declines to make the order sought. This part of the Claimants' application is refused, without prejudice to any future application that the Claimants may be advised to make.



Decision

29. The Court:

- i. Renders its decision on the Claimants' requests as set out in the Redfern Schedule as Annex A (not for publication). This Annex forms an integral part of the present Order.
- ii. Renders its decision on the Defendant's requests as set out in the Redfern Schedule as Annex B (not for publication). This Annex forms an integral part of the present Order.
- iii. Directs that each party that wishes to assert that any of the documents to be disclosed or part thereof is privileged, subject to legal impediment or confidential, to file a Privilege and Confidentiality Log (in accordance with the general guidelines above).
- iv. Directs the parties to produce the documents pertaining to each of the requests that has been fully or partially granted by a deadline to be agreed with the Registrar.
- v. The costs of and incidental to this Order shall be reserved.

By the Court,



[signed]

Justice Ali Malek KC



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

Representation

The Claimants were represented by Eversheds Sutherland (International) LLP (Doha, Qatar).

The Defendants were represented by Al Tamimi & Company (Dubai, UAE).

