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: [2026] QIC (C) 12

IN THE QATAR FINANCIAL CENTRE

CIVIL AND COMMERCIAL COURT

COSTS ASSESSMENT

Date: 25 November 2026

CASE NO: CTFIC0056/2026

RACHIDA BEN TORKIA

Claimant

v

EDUSHIFT TECHNOLOGIES LLC

Defendant

JUDGMENT

Before:

Registrar Dr Umar Azmeh

Order

1. The Defendant is to pay to the Claimant the sum of **QAR 1,500** by way of the latter's reasonable costs of the proceedings.

2. The Order in paragraph (1), above, is stayed subject to the Claimant's submission as to why it should not be made to pay the Defendant's costs of this costs assessment process, due no later than **16.00 on 2 December 2026**.

3. Following the receipt of the submission in (2), above, further Orders will be made.

Judgment

Introduction

1. On 30 September 2026, the First Instance Circuit (Justice Dr Talal Al-Emadi) directed the Defendant to complete the NoC process or confirm that it had been completed in respect of the Claimant, file confirmation that it had been completed, and that the Defendant was to pay the Claimant's reasonable costs of the proceedings.

2. Alas, as is common in relation to litigation before this Court, the parties were unable to agree and therefore the quantum of those costs falls to be assessed by me.

Submissions

3. The Claimant filed and served a submission dated 15 November 2026 that was generated by artificial intelligence. As Practice Direction No. 1 of 2026 (The Use of Artificial Intelligence) makes clear, there is nothing improper about this in principle. The Claimant claims a total of 110 hours (79 in respect of "*primary litigation work*" and 31 in relation to "*Ancillary / post-judgment work*"), described as her "*Total proposed claim*", which equates to QAR 22,000 at the litigant-in-person standard rate.

4. However, the document itself raises issues which have an impact upon the quantum of costs that I can award. The document makes, inter alia, the following points (and contains the following caveats/qualifications):



i. That it is a "*retrospective schedule comprising an estimated 110 hours*".

ii. Preparation for proceedings begun shortly before the claim was issued.

iii. "*The hours are estimated retrospectively by reference to dated correspondence, filing materials, drafting histories and recollection*."

iv. "*Time claimed must reflect work personal done by the Claimant, excluding time spent solely by others or automated drafting systems*".

v. "*The Claimant will check the reconstructed allocations against correspondence, draft history and her own recollection before signing. Any item she cannot personally confirm should be corrected or removed*."

5. The submission also contains a table which purports to account for the 100 hours with dates, work descriptions and hours worked for each item of work.

6. The Defendant's response, dated 22 November 2026, makes inter alia the following points:

i. The Court should award the Claimant 15 hours / QAR 3,000.

ii. The schedule provided by the Claimant is not an actual record of time but is a "*reconstruction*" prepared ex post facto.

iii. The substantive decision made by the First Instance Circuit was incorrect (I cannot take this into account, and in any event, there has been application for permission to appeal).

iv. The Claimant's time records do not survive scrutiny, and in particular in respect of some entries in relation to which the Claimant claims more time than would have been physically possible to spend (e.g. more hours claimed than actually in fact elapsed between two events: two particular examples are cited including 31 hours claimed in a circa 20 hour period, and 6 hours claimed in a 69 minute period). Furthermore, the Defendant points out that



different submissions (initially the Claimant claimed over 200 hours and following directions from me for both parties to attempt to settle, the submission covered in paragraph 5, above, was made) claim different hours in respect of the same work; for example in the initial submission 40 hours were claimed in respect of 5 August 2026 to 31 August 2026, and in the second submission 54 hours are claimed in respect of 18 August 2026 to 25 August 2026.

v. A number of items are not recoverable, for example, a further reply which was not admitted by the Court, post-judgment correspondence and costs negotiation (this is, in my view, recoverable in principle as the "*proceedings*" within the meaning of the Rules and Procedures of the Court (the '**Rules**') include costs proceedings), time claimed in respect of failed service of proceedings, time spent by the Claimant's family on the case, and pre-action activity before the QFC Employment Standards Office.

vi. Work undertaken by artificial intelligence is not recoverable.

vii. Highlighting a number of background facts it submits are pertinent to my analysis.

7. The Claimant's Reply, received on 22 November 2026, makes inter alia the following points:

i. "*The figures in the earlier schedule were retrospective estimates …*".

ii. "*The change of scope* [between the two different submissions] *explains why the headline figures differ; it does not itself, verify how hours were distributed between dates or cure inaccuracies in particular entries*".

iii. "*In particular, the Defendant identifies C)6-C09 as 31 hours between receipt of the Defence on 18 August and filing of the Reply on 19 August, a period it calculates at approximately 20 hours*", and if "*those entries are*

confined to that interval, the allocations cannot all be correct. The Claimant … does not ask for impossible elapsed time to be allowed…".

iv. "*The same applies to C10-C11, which attributed six hours to reading the Order of 20 August and responding within approximately 69 minutes*", and as a consequence "*The times shown in the email record must take precedence over the unverified estimates*".

v. "*The Claimant does not contend that changes to period-by-period allocations are precise evidence*", and "*the correct recoverable time must be determined by the Registrar from reliable records and any properly supported clarification*".

vi. "*The Claimant does not ask that work on excluded material be allowed merely because it was undertaken*" (although this is precisely what the Claimant is doing).

vii. "*The Claimant acknowledges that speculative, duplicative or insufficiently evidenced activity should not be charged*" (but, again, this is what the Claimant was claiming in any event).

viii. The Claimant has not supplied a new contemporaneous ledger and will not manufacture one, and that the "*Registrar must disallow hours that cannot be verified or justified*".

ix. The principles provide that I must conduct a "*disciplined examination of actual work*."

x. The Claimant provides a table of comments in relation to "*disputed time categories*" but caveats that this is not "*sworn confirmation that those hours were personally incurred*".



xi. "*The Claimant maintains QAR 22,000 as the amount requested for assessment, not as a representation that the original allocation of every hour can be sustained*".

8. The Claimant also offered to make further submissions or to file and serve a sworn statement regarding the costs claimed.

Approach to costs

9. Article 34 of the Court's Rules reads as follows:

> *34.1. The Court shall make such order as it thinks fit in relation to the parties' costs of proceedings.*
>
> *34.2. The unsuccessful party pays the costs of the successful party. However, the Court can make a different order if it considers that the circumstances are appropriate.*
>
> *34.3. In particular, in making any order as to costs, the Court may take account of any reasonable settlement offers made by either party.*
>
> *34.4. Where the Court has incurred the costs of an expert or assessor, or other costs in relation to the proceedings, it may make such order in relation to the payment of those costs as it thinks fit.*
>
> *34.5. In the event that the Court makes an order for the payment by one party to another of costs to be assessed if not agreed, and the parties are unable to reach agreement as to the appropriate assessment, the assessment will be made by the Registrar, subject to review if necessary by the Judge.*

10. In *Hammad Shawabkeh v Daman Health Insurance Qatar LLC* [2017] QIC (C) 1, the Registrar noted that the "… *list of factors which will ordinarily fall to be considered*" to assess whether costs are reasonably incurred and reasonable in amount will be (at paragraph 11 of that judgment):

    i. Proportionality.

    ii. The conduct of the parties (both before and during the proceedings).

    iii. Efforts made to try and resolve the dispute without recourse to litigation.

iv. Whether any reasonable settlement offers were made and rejected.

v. The extent to which the party seeking to recover costs has been successful.

11. *Hammad Shawabkeh v Daman Health Insurance Qatar LLC* noted as follows in relation to proportionality, again as non-exhaustive factors to consider (at paragraph 12 of that judgment):

i. In monetary … claims, the amount or value involved.

ii. The importance of the matter(s) raised to the parties.

iii. The complexity of the matters(s).

iv. The difficulty or novelty of any particular point(s) raised.

v. The time spent on the case.

vi. The manner in which the work was undertaken.

vii. The appropriate use of resources by the parties including, where appropriate, the use of available information and communications technology.

12. One of the core principles (elucidated at paragraph 10 of *Hammad Shawabkeh v Daman Health Insurance Qatar LLC*) is that "*in order to be reasonable costs must be both reasonably incurred and reasonable in amount*."

13. The relevant principles from the caselaw are now codified into Practice Direction No. 2 of 2024 (Costs).

14. Practice Direction No. 3 of 2026 (Litigants-in-Person – Hourly Rates) sets a standard hourly rate of QAR 200 for LiPs in this Court.



Analysis

15. This is a highly unusual situation: the Claimant has filed and served a set of costs submissions that very clearly admits, in the body of the submissions, that it is inaccurate (see above at paragraphs 5 and 7). It comprises a retrospective estimation (guess) by artificial intelligence as to the actual time that was spent. By the Claimant's own admission, I cannot rely on the hours claimed as being accurate.

16. This is not the way litigation should be conducted before any court. The Claimant has willingly filed and served inaccurate documentation seeking a money judgment in respect of the inaccurate figures it has proffered. How the Claimant was of the view that this was an appropriate course of conduct is not easy to discern, whether a litigant-in-person or not.

17. In these circumstances I have two options to consider. Option 1 would be to decline to award any costs at all. Option 2 is to disregard the inaccurate figures submitted by the Claimant, and to step back and award a figure based on the number of hours that in my view would be reasonable in this case.

18. I have carefully considered my approach and will deploy Option 2 over Option 1. The key reason in my choosing Option 2 over Option 1 is that the Claimant has not attempted to hide that the figures submitted are inaccurate. This is freely admitted.

19. However, I must now assess what I deem to be a reasonable amount of time for the Claimant to have spent on this case, AI-obfuscation notwithstanding.

20. The Claimant compiled a brief Claim Form with some annexes attached, a short Reply to the Defence and Counterclaim, and a further submission as directed by the Court (provided via email). As noted, an unauthorised further submission was filed and served but this was neither directed nor considered by the Court and is therefore unrecoverable. The Claimant also conducted the case i.e. corresponded with the Court and the Defendant. All these streams of work are in principle recoverable. The key question is to what extent.

21. Taking a step back and looking at the case in the round, the documentation that was required to be filed and the submissions made by the Claimant. I am of the view that 10



hours would be a reasonable number of hours that should properly have been expended in the preparation of this straightforward case.

22. However, as I have noted, this is simply an estimate. I have been given no assistance whatsoever by the Claimant. In light of this, I am going to make a further deduction of 25% to ensure that my estimate is not an overestimate: it was the Claimant's responsibility to put forward accurate documentation so that this assessment could be conducted fully and accurately. She has not done so. This ambiguity must therefore be resolved against the Claimant and to ensure that the Claimant is not overcompensated (i.e. if she spent less time on the case than I have estimated), that reduction works to reduce the hours to 7.5, which equates to **QAR 1,500**.

Reasonableness

23. The Defendant submitted that 15 hours, totaling QAR 3,000, was reasonable for this case; thus, there will no disagreement from the Defendant to an award of QAR 1,500 is also reasonable.

24. In my view, given the issues involved (a simple issue of documentation), the relatively straightforward litigation process between the parties with little disagreement as to conduct, and the success of the Claimant, QAR 1,500 is clearly prima facie reasonable. Settlement was not possible in this case as there was a clear factual disagreement, so this factor does not assist me. The case was clearly important to both parties given their positions and disagreement, but was not complex, difficult or novel. Therefore, it is clear to me that QAR 1,500 is a reasonable sum to award the Claimant as the hours I deem ought to have been expended on the case, minus the 25% deduction made for the reasons given above.

Further costs

25. Unfortunately, this does not end here. The Claimant filed and served a completely inappropriate document which hindered rather than assisted me in this process. It was an admittedly inaccurate document to which the Defendant had to respond. It should not have been submitted in that form.



26. I am of the view that there is a prima facie case for the Defendant to be awarded its own costs in relation to responding to the Claimant's submission.

27. Therefore, whilst I will make an award of QAR 1,500 in principle, the Claimant must, within 7 days of the date of this judgment, file and serve a submission as to why the Defendant should not be awarded its costs of replying to the costs submission. If, ultimately, the Defendant is awarded its costs, that sum will be set off against the QAR 1,500 award.

By the Court,

[signed]

Registrar Dr Umar Azmeh

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

Representation

The Claimant was self-represented.

The Defendant was self-represented.

DIGITALLY SIGNED AND VERIFIED
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