

An Introduction to Baitulhikma



Baitulhikma is a leading law firm that has been providing legal services in the United Arab Emirates since 1985. It was established as a two-man operation by Mohammed Issa Al Suweidi and Subhi Ahmed and has since expanded to a multi-jurisdictional law firm with more than 40 lawyers across offices in Abu Dhabi and Dubai. Subhi Ahmed is also a named partner in our associated Omani practice, Al Yahyaei & Salt.

Since inception, Baitulhikma has been retained by a wide range of local and international clients including public and private institutions, many of the major banks and insurance companies of the United Arab Emirates, a large number of corporates (both SMEs and mid-to-large) and a number of international law firms which require local UAE expertise provided in line with international best practice.

We offer a full range of legal services in the corporate-commercial, litigation and dispute resolution (all onshore and offshore courts and arbitration panels of the UAE), criminal and financial crime, real-estate & property and banking & finance sectors.

We also have specialist expertise in the private equity, venture capital, telecommunications, intellectual property, privatization and insurance industries of the MENA region.

As a fully integrated legal services provider, Baitulhikma prides itself on its cost-effective yet thorough service. Our collegiate approach to ensuring clients' legal needs are met in a pragmatic and commercially aware manner has resulted in the continued success of the firm.

We look forward to working with you.



Subhi Ahmed
Managing Partner



Corporate and Commercial



Our corporate and commercial department provides comprehensive advice on company formation; joint ventures; private equity transactions; venture capital investments; day-to-day commercial matters; employment law matters; insurance; and bankruptcy.

We employ a multi-lingual team of attorneys (fluent in English, Arabic, French, German, Italian, Turkish and Hindi) who are uniquely skilled in advising our clients on the various matters that companies face from time to time, including but not limited to:

- ↪ corporate governance and company secretarial issues such as drafting board and shareholders' meetings and resolutions as necessary; altering share capital; and reporting requirements for publicly listed companies in the UAE;
- ↪ advising on and executing mergers and acquisitions; share sale and purchase agreements; investment and shareholder agreements and carrying out all necessary due diligence checks in relation thereto;
- ↪ advising on employment law issues and assisting with the drafting of company HR guidelines;
- ↪ advising on the various types of insurance and indemnities that companies require and enter into from time to time;
- ↪ advising on and drafting the various supplier and services agreements that companies use on a day-to-day basis;
- ↪ advising on and assisting in the registration of patents, copyrights and trademarks; and
- ↪ advising on and assisting in the winding up, dissolution and/or liquidation of companies.

Our experience includes advising:

- ↪ the Privatization Committee for the Water & Electricity Sector (PCWES) in Abu Dhabi, which conducted the biggest privatization exercise in the GCC;
- ↪ PCWES on one of its power and desalination plants (US\$ 356,000,000);
- ↪ advising on the privatization of five publically owned manufacturing facilities in Abu Dhabi;
- ↪ one of the largest district cooling companies in the UAE on their service agreements and non-compete provisions;
- ↪ advising on a venture capital investment in The Luxury Closet, a Dubai-based resale platform for luxury goods;
- ↪ completing a venture capital co-investment in Mumzworld.com, the region's largest mother and childcare online shopping portal; and
- ↪ advising on the structuring and establishment of Flat6Labs Abu Dhabi, the Arabian Business Accelerator of the Year 2015.



Criminal Law



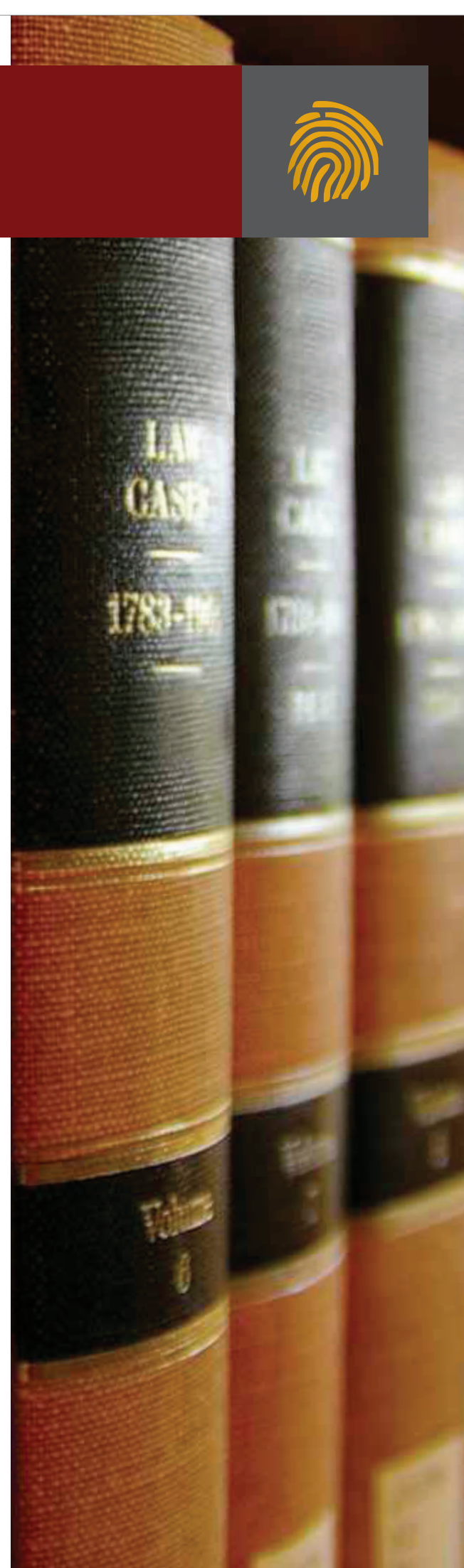
Baitulhikma's criminal law practice specializes in dealing with financial and white-collar criminal matters. With a significant number of criminal cases in the UAE being financial in nature, our specialized financial crimes unit is well-versed in such matters and has consistently addressed and met the needs of our client.

Our dedicated team handles over 600 criminal complaints per month on a wide range of financial crimes and has handled multi-million white-collar criminal matters including:

- ⤴ forgery of banking instruments;
- ⤴ financial fraud;
- ⤴ bounced cheques;
- ⤴ money laundering;
- ⤴ embezzlement; and
- ⤴ unlawful competition issues.

We offer our clients a cost-effective method of recovery by means of obtaining travel bans and assisting in the issuance of Interpol Red Notices, as well as all other measures available at law.

Additionally, we have been able to effectively coordinate in tracking down and collecting outstanding debts for multi-national corporations both inside and outside the UAE and Oman.



Litigation and Alternative Dispute Resolution



Our litigation and dispute resolution division is the backbone of our practice with over 30 years' experience in a wide range of disputes throughout the region. We advise on banking and financial disputes, insurance cases, intellectual property infringement claims, large-scale real estate disputes and labour law suits.

Amongst our more recent and notable large-scale disputes include successfully representing:

- ⤴ a consortium of three major UAE banks in relation to a syndicated loan of AED 450 million extended to a large business entity before the civil courts of Abu Dhabi;
- ⤴ a major Abu Dhabi bank in a dispute relating to a term loan of AED 1.5 billion which had been extended to a prominent businessman in the UAE;
- ⤴ a group of six major Dubai banks in a financial crime case committed by a Dubai trader, the value of which is in excess of AED 92 million;
- ⤴ a major Dubai bank in a commercial dispute relating to banking facilities extended to a Sharjah-based company in the range of AED 300 million;
- ⤴ an Abu Dhabi government-backed company in a class action brought by over 100 of its employees;
- ⤴ more than fifteen major international and regional banks in recovery cases in excess of AED 5 billion in overdue payments and loans;
- ⤴ a leading UAE insurance company in three disputes against three international reinsurers in relation to a package policy of property damage and business interruption covering losses sustained during the civil unrest that took place in Egypt during 2011;
- ⤴ a leading UAE district cooling company in a multi-million dollar cooling service dispute; and
- ⤴ the first successful close out of mortgage foreclosure proceedings in the Emirate of Ras Al Khaimah.

Baitulhikma is also proud to be among the select few local UAE law firms with full rights of audience before the Dubai International Financial Centre Courts; Dubai International Arbitration Center; Abu Dhabi Commercial Conciliation and Arbitration Center; and Abu Dhabi Global Market Courts.



Property and Real Estate



We have successfully advised several leading real estate companies and property developers operating in the UAE on issues as diverse as the structuring of property development agreements, sale & purchase agreements, property management agreements, lease and long lease agreements, mortgage contracts, insurance contracts, district cooling agreements, drafting rules and regulations of owners associations and usufruct agreements. In addition, a number of our attorneys are routinely seconded to real estate clients.

We are proud to have been engaged on the following:

- ⤴ providing legal guidance on the first escrow plan in the UAE, on behalf of a large property development company in Dubai (this was prior to the enactment of the Escrow Account Act in Dubai);
- ⤴ high-level secondments to two distressed UAE-based property developers;
- ⤴ representing a large real estate company in Abu Dhabi on a dispute worth in excess of UAE Dirhams 7 million in relation to the infrastructure works of one of its projects;
- ⤴ acting for a private school in all legal aspects relating to the construction of its new premises, such as negotiating the purchase of land, the procurement of relevant licenses, the appointment of contractors and consultants and project handover.

Our property and real estate practice also extends to cover various rental disputes across the entire UAE. This is by virtue of our highly qualified, rental-disputes team who have succeeded in recovery of millions of dirhams' worth of rental over-dues.



Banking and Finance

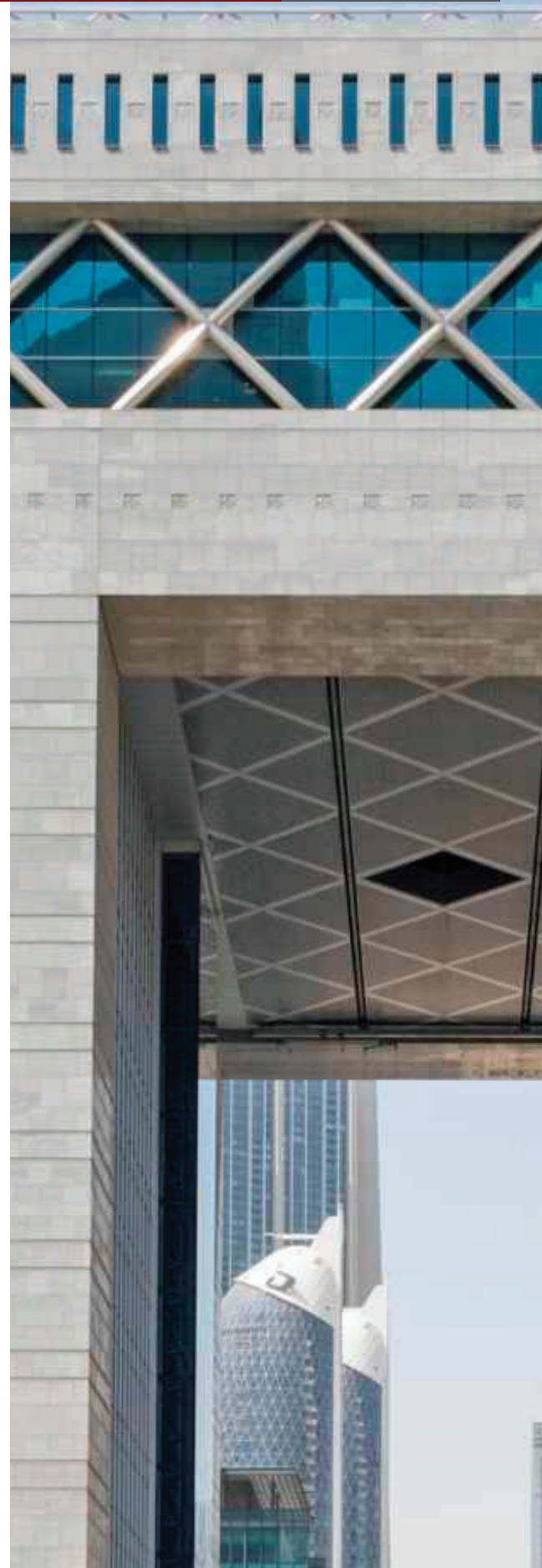


We are proud to represent the majority of prominent banks and financial institutions across the UAE and Oman, and offer an extensive range of legal services ranging from drafting of various loan agreements to finance-based litigation and arbitration proceedings.

A large number of our attorneys have experience working as in-house counsel to some of the region's largest banks, and we therefore have a keen insight into the daily needs of banks and other financial institutions.

Our previous experience includes:

- ⤿ advising on the legality and enforceability of new financial products being introduced to the market such as internet banking and financial services provided by the private banking divisions of banking clients to high net worth individuals;
- ⤿ drafting large-scale facility agreements including term loans, syndicated loans, bridging loans, and mortgages;
- ⤿ drafting pro-forma application forms used by our banking clients including, current and saving account opening forms and agreements and credit cards applications; and
- ⤿ representing our clients in financial and banking disputes before all federal and local courts of the UAE including Dubai International Financial Center Courts, Dubai International Arbitration Center, Abu Dhabi Commercial Conciliation and Arbitration Center and Abu Dhabi Global Markets Courts.



Our Offices



Baitulhikma maintains 2 offices in Abu Dhabi and Dubai. It has also entered into a strategic partnership with the Omani law firm of Al Yahyaei & Salt Advocates & Legal Consultants.

Our locations are as follows:

Baitulhikma Abu Dhabi

Office 1701
Addax Tower, Al Reem Island
P.O. Box 7928
Abu Dhabi, UAE
T: +9712 626 8245
F: +9712 627 5685
E: abu.dhabi@baitulhikma.com

Baitulhikma Dubai

Offices 401/2/4
Business Point Building, Port Saeed
P.O. Box 31909
Dubai, UAE
T: +9714 294 6948
F: +9714 294 6949
E: dubai.reception@baitulhikma.com

Al Yahyaei & Salt Muscat

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Business Center Building, Al Khuwair
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T: +968 2 448 7448/+968 9 933 3882
E: advisors@alyahyaeiandsalt.om

Al Yahyaei & Salt Salalah

Office 107
Dhofar Building B, Commercial District
Salalah, Oman
T: +968 2329 9290/+968 9 636 4910
E: salalah@alyahyaeiandsalt.om

Al Yahyaei & Salt Sohar

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3rd Floor, Muscat Lighting Building
Sohar, Oman
T: +968 9 381 1137
E: reports@alyahyaeiandsalt.om



Services & Billing Policy



Services:

Our legal services may be grouped under the following categories.

General Legal & Corporate Advice:

Such services comprise, but are not limited to:

- 🔸 providing legal opinions and advice on corporate-commercial, transactional, banking and other non-litigious legal issues;
- 🔸 drafting various contracts, legal forms, agreements, letters and other documents as required the clients;
- 🔸 attending meetings with and/or on behalf of the clients; and
- 🔸 general day-to-day legal and regulatory support as required by our clients.

Litigation & Dispute Resolution:

Our services in this category would comprise:

- 🔸 representing the clients before any UAE courts and arbitration authorities (both onshore and offshore), investigation authorities such as Public Prosecutors' offices, law enforcement authorities and special judicial committees; and
- 🔸 mediation in out-of- court settlements.

Fees

Several methods are available to our clients for determining the fees to be charged for our services. Such methods include, without limitation, the followings:

- 🔸 Fixed fee or flat fee arrangements: typically arrangements whereby we agree to handle a matter or group of matters for a certain fixed fee. Fixed fees can be subject to an overall cap. The specific nature of any fixed fee arrangement can be tailored to the nature of any given matter.
- 🔸 Hourly rate fee: whereby fees will be calculated on the basis of the time expended on the client's matter in accordance with our hourly rates as agreed in advance.
- 🔸 Contingency fee: in which we receive a fixed or scaled percentage of any recoveries in a lawsuit brought on behalf of the client as a plaintiff. Typically, the client pays the expenses of the dispute.
- 🔸 Success fee: whereby Baitulhikma is paid a portion of its fees up front, but has a portion withheld contingent upon success in the matter.

Reimbursement of Expenses:

Amounts advanced or paid to third parties by us on behalf of our clients for expenditures such as court fees, expert fees, translation fees, publication fees, courier expenses, travel and lodging expenses, shall be reimbursed by our clients.

