



STOCKHOLM DISTRICT COURT **PROTOCOL**
 2017-08-21
 Handling in
 Stockholm

Court
 exhibit 25
 Case no
 T 10498-17

Handling in the parties' absence

THE COURT

Judge Karin Palmgren Goohde, also recording clerk

PARTIES

Claimant

1. Anatolie Stati
 20 Dragomirna Street
 Chisinau MD-2008
 Moldova

2. Ascom Group S.A
 75 A Mateevici Street
 Chisinau MD-2009
 Moldova

3. Gabriel Stati
 1 A Ghiocelilor Street
 Chisinau MD-2008
 Moldova

4. Terra Raf Trans Traiding Ltd
 Don House Suite 31
 30-38 Main street
 Gibraltar

Counsel for 1-4: Attorneys at law Therese Isaksson, Bo G H Nilsson and Ginta Ahrel
 Advokatfirman Lindahl KB
 Box 1065
 101 39 Stockholm

Respondent

Republic of Kazakhstan
 11 Pobeda Avenue
 Astana 1000
 Kazakstan

MATTER

Application for *ex parte* attachment order

Dok.Id 1760500

Postadress	Besöksadress	Telefon	Telefax	Expeditionstid
Box 8307 104 20 Stockholm	Scheelegatan 7	08-561 652 70	08-561 650 03	måndag – fredag 08:00–16:00
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Ascom Group S.A., Anatolie Stati, Gabriel Stati and Terra Raf Trans Trading Ltd. (below the claimants) have requested that the district court orders *ex parte* attachment – without providing the respondent with the opportunity to reply – of so much of the Republic of Kazakhstan's property that the claimants' claim amounting to a) 8 975 496,40 USD and b) 476 685 101 USD, including interest defined as the rate of 6 months US Treasury Bills from 30 April 2009 to the date of payment, can be assumed to be covered. In the alternative, the claimants have requested *ex parte* attachment in shares owned by Kazakhstan registered at Euroclear Sweden AB.

Further, the claimants have requested exemption from the obligation to provide financial security, as per Chapter 15 Section 6 para. 1 of the Code of Judicial Procedure.

The claimants have as legal grounds for the application for attachment and the request for exemption from the obligation to provide financial security stated what appears from exhibit 1.

The district court pronounces the following.

DECISION

The claimants have shown probable reason for that they have such a claim towards the Republic of Kazakhstan as is set out in Chapter 15 Section 1 the Swedish Code of Judicial Procedure; the fact that a decision of attachment under this provision may be based on a rendered arbitral award follows *inter alia* from Government Bill 1998/99 p. 185 f. The claimants have shown probable reason for that the claim amounts to what has been stated. It can be suspected for good reason that the Republic of Kazakhstan, by way of absconding, disposing of the property, or acting in some other way avoids to fulfill its payment obligations. There is a danger in delay. The claimants, who lack assets to provide security, have shown exceptional reasons for their claim.

On account of what has been stated above, the district court exempts the claimants from the obligation to provide security and orders *ex parte* – i.e. without providing the Republic of Kazakhstan with the opportunity to reply – attachment of so much of the Republic of Kazakhstan's property in Sweden that the claimants' claim of a) 8 975 496,40 USD and b) 497 685 101 USD, including interest defined as the rate of 6 months US Treasury Bills from 30 April 2009 to the date of payment, can be assumed to be covered by enforcement.

The district court provides the Republic of Kazakhstan with the opportunity to reply to the claimants' application no later than **within three weeks from service of the decision**. The district court may when this time has elapsed try the question of attachment once more – and decide the matter finally – even if no reply has been submitted.

Communication of the decision to the Republic of Kazakhstan shall wait until 25 August 2017.

HOW TO APPEAL, see exhibit 2 (DV 434)

The decision may be appealed against separately to the Svea Court of Appeal within three weeks from the service of the decision.

Leave to appeal is required.

Karin Palmgren Goochde