



IN THE COURT OF FIRST INSTANCE  
OF THE ASTANA INTERNATIONAL FINANCIAL CENTRE

26 May 2023

CASE No: AIFC-C/CFI/2023/0027

MS TYURINA ELENA YUREYEVNA

Claimant

v.

(1) MR BISSEMBAYEV BAUYRZHAN

(2) MR ZHAN MUKHTAROVICH MATAKOV

(3) ORIENTAL SUNRISE CORPORATION LIMITED

(4) TOTALENERGIES EP DANMARK A/S

(5) MAGNETIC OIL LIMITED

Defendants

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ORDER

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Justice of the Court:

The Rt. Hon. The Lord Faulks KC

**ORDER**

**UPON** the Claimant's claim against the Defendants, filed via claim form dated 19 December 2022 and amended on 17 January 2023 (the "**Claim**")

**AND UPON** the order of Justice Tom Montagu-Smith KC dated 23 December 2022, pursuant to which, upon an application by the Claimant dated 21 December 2023, the Court made an *ex parte* freezing order against the First to Third Defendants, until the return date hearing of the application or further order of the Court (the "**Freezing Order**");

**AND UPON** the Claimant's filing of a notice of discontinuance dated 3 April 2023 in respect of her Claim against the Fourth Defendant, pursuant to which (by virtue of rules 21.3 and 21.6 of the AIFC Court Rules) the Claim against the Fourth Defendant was discontinued;

**AND UPON** the Claimant's filing of an application dated 27 April 2023 seeking permission of the Court to discontinue the Claim against the First, Second, Third and Fifth Defendants pursuant to rule 21.4(1)(a) of the AIFC Court Rules (the "**Application for Permission**");

**AND UPON** the Claimant's filing on 27 April 2023 of a notice of discontinuance in respect of her claim against the First, Second, Third and Fifth Defendants;

**IT IS ORDERED THAT:**

- (1) The Application for Permission is granted.
- (2) All further proceedings in this Claim be discontinued in their entirety.
- (3) The Freezing Order is discharged.
- (4) In respect of the underlying Claim (to include, for the avoidance of doubt, the Claimant's application for the Freezing Order, and the Claimant's discontinuance of her Claim against the Defendants) there be no order as to costs.



By Order of the Court,

The Rt. Hon. The Lord Faulks KC,  
Justice, AIFC Court

Representation:

The Claimant was represented by Mr. Bakhyt Tukulov, “Tukulov & Kassilgov Litigation” LLP, Almaty, Republic of Kazakhstan.

Defendants 1-3 were represented by:

1. Mr. Roman Khodykin, “Bryan Cave Leighton Paisner” LLP, London, United Kingdom;
2. Ms. Nadia Hubbuck, “Bryan Cave Leighton Paisner” LLP, London, United Kingdom;
3. Ms. Elena Matlak, “Bryan Cave Leighton Paisner” LLP, London, United Kingdom;
4. Mr. Askar Konysbayev, GRATA International Law Firm, Almaty, Republic of Kazakhstan.

Defendant 4 was represented by:

1. Mr. Mukhit Yeleuov, “Kinstellar” LLP, Almaty, Republic of Kazakhstan;
2. Ms. Dina Berkaliyeva, “Kinstellar” LLP, Almaty, Republic of Kazakhstan.

Defendant 5 was represented by Mr. Kairat Yermakhanbet, in-house lawyer, Magnetic Oil Limited, Astana, Republic of Kazakhstan.