



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

23 September 2024

CASE No: AIFC-C/CFI/2024/0037

Private Company “iKapitalist Ltd”

Claimant

v

(1) “Nurly Kus” LLP

(2) Sara Omarova

(3) Oleg Tyo

Defendants

JUDGMENT AND ORDER

Justice of the Court:

The Lord Faulks KC



JUDGMENT AND ORDER

1. Pursuant to a Claim Form made on 23 September 2024 the Claimant seeks an Order from this Court to recognise and enforce the measures set forth in Part VII of the IAC Arbitration Award dated 20 August 2024 made by Ms. Snezhana Kutsenko, the sole arbitrator appointed by a letter dated 3 June 2024 of Mr. Thomas Krümmel, the Chairman of the AIFC International Arbitration Centre, in IAC Arbitration Case No 73/2024.
2. Having read the Award it appears to me that the application is justified. Accordingly, I hereby order:
 - to satisfy claims of Private Company “iKapitalist Ltd” BIN 191140900129 against “Nurly-Kus”LLP BIN 090940018639, Ms. Sara Omarova IIN 540509401698, Mr. Oleg Tyo IIN 740624300264;
 - to collect in solidary order from “Nurly-Kus” LLP BIN 080840018639, Ms. Sara Omarova IIN 540509401698, Mr. Oleg Tyo IIN 740624300264 in favour of Private Company “iKapitalist Ltd” BIN 191140900129 the amount of debt in the amount of 40,085,263 KZT (forty million eighty five thousand two hundred sixty three) tenge (89,421 USD), expenses on payment of representative services in the amount of 1,500,000 KZT (one million five hundred thousand) tenge (3,333 USD), expenses on payment of arbitrator’s fee in the amount of 1,000,000 KZT (one million) tenge (222,222 USD).
3. The Defendants are given liberty to apply to have this Order set aside within 14 days of service upon it of this Order.
4. This Order shall not be enforced (a) until after the end of the period set out in paragraph 3 above or (b) until after any application made by the Defendants within that period has been finally disposed of, whichever is the later.

By Order of the Court,

The Lord Faulks KC,
Justice, AIFC Court

Representation:

The Claimant was represented by Mr. Daniyar Niyazgulov, Director of the Benefits & Partners law firm.

The Defendants were not represented.