IN THE COURT OF FIRST INSTANCE

OF THE ASTANA INTERNATIONAL FINANCIAL CENTRE

2 November 2026

CASE No: AIFC-C/CFI/2026/0007

Zhusipov Askhat Mukhtaruly

Ignatiev Alexey Nikolaevich

Adilzhanov Galymzhan Turlybekovich

Ovsyannikov Vladimir Vasilyevich

Esmurzaev Yerzhan Apbazovich

Korobeinikov Dmitry Vyacheslavovich

Zhanbyrshy Kobei Zhaksybayuly

Tulepov Omirbek Naurzbayevich

Zhuravlevich Sergey Sergeevich

Kyilibaeva Dinara Kaztaevna

Zatilda Kerey Zhumabekuly

Urazalina Karlygash Mukhtarovna

Zhetpisov Nurzhan Kairatovich

Nurgaliyev Timur Khakimzhanovich

Ali-Aidarova Meruert Muratovna

Makhambetov Amangeldy Shalkharbaevich

Bolat Arman Bolatuly

Turebek Serik Rymbekuly

Mukhamed-Rakhimov Alibek Urazovich

Baizhakhanov Sairan Bagdatovich

Temirzhanov Murat Omarovich

Ilyasova Aiman Suleimenovna

Ramazanov Sherif Nazimovich

Baibatshaev Yerzhan Erkinbekovich

Tleuliev Aibek Turanbekovich

Baizhanova Madina Berikovna

Nurlykhanov Mukhammediyar Kiikbayuly

Ospanova Balzhan Sadykovna

Kazhigaliyev Aishuak Zholdybayuly

Ak Alena Petrovna

Zhakupov Aidar Beksultanovich

Abuov Bauyrzhan Bolatovich

Omarov Talgat Maratovich

Kanzhigalinova Malika Kuatovna

Zhunusov Abai Kuanyshpaevich

Baildinova Klara Zhenisovna

Almukhanov Mukhtar Abdrakhmanovich

Berentayev Berik Muratovich

Abdiraimov Bekzat Ospanaliyevich

Tolkachev Yuriy Viktorovich

Logvinenko Yuriy Anatolyevich

Omarova Apiya Anuarovna

Dosymbekov Askar Muratovich

Asangaliyev Serik Uakhitovich

Pyagai Viktor Timofeevich

Taskumbayev Zhanbolat Kairbekovich

Vladimirov Viktor Nikolaevich

Ramazanov Marlen Mukhtarovich

Amanzholov Almaz Kanatbekovich

Gorbunova Natalia Anatolyevna

Mukhamadiev Arkhat Serikovich

Amirov Galimzhan Kaparovich

Mukaev Erlan Kairgozhinovich

Ainabekov Damir Beisenalievich

Perevalov Sergey Nikolaevich

Bisekenova Dina Uteovna

Dzhanabergenov Erken Nurgazievich

Kinzhibayev Arman Amirkhanuly

Seytkamal Kuanysh Nurlanuly

Tikhomirov Nikolai Nikolaevich

Oralgazina Aitjan Akhuanovna

Ostapenko Vladislav Vitalievich

Bondarev Dmitriy Alexandrovich

Esenguzhanov Almas Nurlanovich

Zhetibaev Agatay Andagulovich

Mullashev Damir Shamilievich

Zhaumbayev Daniyar Temirzhanovich

Latyshev Chingis Muratovich

Sembekova Diana Mirhayatovna

Murzagaliyev Esbolat Uryngalievich

Golunov Andrey Vladimirovich

Bekmuratov Nazarali Mamyraimovich

Aleksandrenko Aleksandr Aleksandrovich

Imanov Kairat Alibekovich

Nakipova Nazira Polatbekovna

Orazbayev Daniyar Muratovich

Bazarov Rauan Serikovich

Zhabagin Rakymzhan Nurlanuly

Lim Ilya Mikhailovich

Ryskulbekova Dilnara Makhambetovna

Ausenov Kumar Zhumakumarovich

Nazarenko Vitaliy Sergeyevich

Sapargali Sholpan

Ashimov Nursultan Aidarovich

Bekseitov Eduard Gizatovich

Amaniyazov Bakytzhan Turdyovich

Tokbaev Bagdat Dairabayuly

Mikheev Timur Vladimirovich

Maldenov Nurzhan Mukhtarovich

Qadyr Bakdaulet Shamshidinuly

Kairzhan Arman Bokenbayuly

Baembaev Farkhat Askarovich

Esimseytova Aigul Zhappasovna

Golunova Irina Nikolaevna

Karimova Ainura Bolatovna

Badanova Aisulu Yelemesovna

Mitrofanova Natalya Pavlovna

Bekbosynova Amina Temiralievna

Dzhalmagambetova Zhenis Talgatovna

Zhusiev Medeu Zhasulanuly

Kamzin Serzhan Kurmangalievich

Kokanov Adilkhan Dauletovich

Stambekova Dina Tazhibaevna

Zhunusova Zhanar Amangeldievna

Omarov Dauren Rashidovich

Kuantyr Aigul Kazybekkyzy

Abubakirova Altynai Elkutovna

Musin Erlan Ryskhanovich

Atagulova Akmaral Kadirgalievna

Sandulskaya Oksana Vladimirovna

Serikova Asel Bakhtiyarovna

Nemasipova Anar Nurtasovna

Rakhimov Farit Rinatovich

Sagnaev Beksultan Kunanbaevich

Kisikov Tanat Gabitovich

Kashkimbayev Arlan Kuanyshevich

Yersultanov Asylkhan Sultanhanuly

Ermakhanova Aiman Srazhadinovna

Ibatov Zhanat Andreevich

Mudarisova Marfuga Kairdinovna

Imangaleeva Zhanara Naviollovna

Akhmetov Yerbol Adilkhanuly

Ayazbayev Manarbek Akbaevich

Daulenuly Daniyar

Bachinskaya Natalya Aleksandrovna

Shabanaliyev Rustem Navruzaliyevich

Orynbekov Nurlybek Sultanovich

Khasenova Asel Zhanatovna

Suchkhov Evgeniy Yuryevich

Vaitzel Damira Daniarkyzy

Sharifullina Faniya Ildarovna

Suerbaev Shaidulla Khamitovich

Kozin Oleg Aleksandrovich

Promogaybo Pavel Pavlovich

Bzhostak Anna Vladimirovna

Baranovskiy Egor Olegovich

Ogai Zauresh Serikovna

Latimkhanov Damir Khadouatovich

Vashchuk Vyacheslav Mikhailovich

Makanalina Asel Sabitovna

Abdrakhmanova Gaini Zekenovna

Kangozhina Aliya Bekbulatovna

Bektasov Kazbek Mukashevich

Kadyrzhanova Dana Kairatovna

Kaden Anuar Birzhanuly

Rysbekova Gulmara Chingizovna

Zaykovskiy Maksim Igorevich

Suleimenov Nariman Kayrullovich

Gabdrakhmanov Malik Rinatovich

Zhamanbaev Anuarbek Gumurbekovich

Gabbasov Elnur Marsovich

Bukaev Talgat Uteshovich

Kabiev Nurtay Tleulesovich

Tleubaeva Rakhat Erlanovna

Sailauova Alua Takirovna

Azelkhanov Zhaksykeldy Berikovich

Shirkinbaev Asan Sovetovich

Dusenov Bauyrzhan Bolatuly

Kuanyshbaev Ruslan Abayevich

Uralov Umerbek Alpanovich

Uralova Dana Umerbekovna

Churakova Anna Sergeevna

Kim Marina Valerievna

Moiseeva Ksenia Anatolyevna

Kametov Talgat Yelemesovich

Zhanuzakov Dulat Askaruly

Claimants

v

(1) "JS Almaty" LLP

(2) "Karaoke Group" LLP

(3) Baisarenov Dzhambul Kurmangazynovich

(4) Li Valeriy Arkadyevich

Defendants

COSTS ORDER

Justice of the Court:

Justice Tom Montagu-Smith KC

ORDER

UPON the Court ordering recognition and enforcement of an arbitration award on 31 March 2026.

AND UPON the Defendants' application to set aside the Order ("the Application").

AND UPON the Court dismissing the Application.

IT IS ORDERED THAT:

1. The Defendant shall pay the Claimant's costs of the Application, summarily assessed in the sum of USD 9,250.

REASONS

1. In this claim, the Claimant seeks recognition and enforcement of an arbitration award. Recognition and enforcement was ordered on an ex parte basis. The Defendant applied to set aside that Order. I dismissed that application in a judgment dated 5 October 2026.

2. The Claimant seeks an order for payment of its costs. It claims costs in the sum of USD 10,000. The Defendant submits that the Court should make no order as to costs. In the event that it makes an Order, the Defendant submits that costs should be assessed at no more than USD 4,000.

3. On the principle, it seems to me that the Defendant should pay the Claimant's costs. Costs ordinarily follow the event: AIFC Court Rules, r.26.5(1). I can see not reason to disapply that general rule. The Defendant points out that its application was not "unmeritorious or abusive". I agree. However, that is not a precondition of awarding costs in this Court.

4. The Claimant's request is supported by a statement of costs in the total amount of exactly USD 10,000. The Defendant raises two overarching objections, together with a number of specific complaints.

5. First, the Defendant says that the Claimant has not proven the costs claimed were incurred. Summary costs assessment in this Court is normally undertaken on the basis of a schedule of costs signed by the lawyer handling the claim. Where there is reason to doubt the claim, more may be required. In this case, more has in any event been provided, in the form of the underlying contract for legal services. This establishes the agreed hourly rates and that fees were capped at USD 10,000. In my view, the fact that the fees have been incurred is adequately evidenced.

6. Second, the Defendant points out that the sum claimed is a round number – USD 10,000. Quite properly, it does not allege bad faith. However, it says "the figures appear constructed to arrive at an exact total of USD 10,000."

7. It seems to me that this may be partially explained by the cap on fees agreed. It would be quite surprising (but not impossible) for fees to be precisely USD 10,000. However, that is less surprising if the agreement was that nothing was charged beyond that sum.

8. I therefore turn to the specific objections.

9. First, the Defendant takes aim at the fees incurred for work on sections 40-44 of the Regulations on AIFC Acts. I asked the parties for further assistance after the hearing. It appeared to me that neither party had considered those Regulations which, in part, set out a choice of law code for the AIFC. What was submitted was a short document. However, as the Claimant says, it was important and careful thought was no doubt required. That said, I have some sympathy with the Defendant's objection to over 13 hours being charged for the document for a total of USD 2,320. I will make a small reduction of the times claimed as a result.

10. The Defendant makes further discrete objections for sums sought in respect of: (a) work done of the Claimants' summary of positions; (b) initial review and collection of documents; (c) work done on the second response and evidentiary record. Overall, it is said the total sum is disproportionate.

11. It seems to me that the total claimed of USD 10,000 is not disproportionate in the round. The application raised a number of issues, some of them relatively novel. Taking into account the points about the submissions on the AIFC Regulations, I assess the Claimant's costs of the application at USD 9,250.

By the Court,

Tom Montagu-Smith KC,
Justice, AIFC Court

Representation:

The Claimants were represented by Mr Daniyar Niyazgulov, director, law firm Benefits & Partners, Astana, Kazakhstan.

The Defendants were represented by Mr Boris Kruglov, Member of the Chamber of Professional Legal Advisers.