

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CESFIN VENTURES LLC, :

Petitioner, :

-against- :

ORDER

AL GHAITH HOLDING COMPANY PJSC, : 15-CV-9857 (PGG) (KNF)

Respondent. :

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KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

By a joint letter dated September 17, 2021, the petitioner: (a) asserts that respondent Al Ghaith Holding Company PJSC (“AGH”) failed “to produce documents pursuant to the Court’s May 4, 2021 Order (ECF No. 98) and the resulting Protective Order, dated July 2, 2021 (ECF No. 110)”;

and (b) seeks an order directing the respondent to produce all documents within thirty days. AGH’s counsel contends that they are: (i) “unable to provide a timetable for further production at this time as we await instructions and guidance from AGH”; (ii) “advised by AGH that the delays in producing the requested documents is due, in part, by two Eid holidays and the Holy Month of Ramadan, both of which are public and religious holidays in AGH’s place of business”; and (iii) “the delays have been caused, in part, by CesFin’s filing of new and additional claims and proceedings in various jurisdictions against AGH,” diverting “AGH’s resources and attention.”

The respondent failed to explain: (1) its failure to provide a timetable for completing production of documents, given that the referenced religious holidays and their time limitations were known to the respondent, and the respondent does not assert any unforeseen circumstances

in connection with them; and (2) the relevance of unrelated proceedings to the respondent's obligation to comply with the Court's orders in this case.

On or before October 20, 2021, the respondent shall complete its production directed by the May 4, 2021 order. No extension of time will be entertained absent extraordinary circumstances which must be demonstrated by clear and convincing evidence. The parties are on notice that any failure to comply with a court order is subject to sanctions, including the harshest sanctions.

Dated: New York, New York
September 20, 2021

SO ORDERED:



KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE