

STOCKHOLM DISTRICT COURT
Department 4

RECORD
11 October 2010

Case No.
T 15420-10

Procedure in absence of the parties

DISTRICT COURT

Judge S. A., recording clerk

PARTIES

APPLICANT

Frans J. Sedelmayer
[...]

Counsel: Advokat Hans Forssell
Eversheds Södermark Advokatbyrå AB
Box 14055
104 40 Stockholm

Counsel: Advokat Jonas Löttiger
Eversheds Södermark Advokatbyrå AB
Box 14055
104 40 Stockholm

RESPONDENT

Russian Federation
[...]

Counsel: Advokat Dan M. Öwerström
MAQS Law Firm Advokatbyrå AB
103 86 Stockholm

SUBJECT MATTER

Seizure of property.

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Frans J. Sedelmayer has filed a claim in accordance with Appendix No 1.

The District Court renders the following decision.

DECISION

Finding

The District Court orders seizure of property owned by the Russian Federation to the extent as is likely to be needed to cover Frans J. Sedelmayer's claims against the Russian Federation in accordance with an arbitral award between the parties dated 7 July 1998, currently amounting to approximately USD 4,730,608 plus interest and costs. The order for seizure shall take effect immediately until otherwise ordered.

Reasons

A prevailing party in arbitration is deemed to be able to file a claim for seizure of property to secure the enforcement of the award (prop. 1998/99:35 p. 185, NJA 1979 p. 698 and NJA 1983 p. 814). It may reasonably be assumed that the Russian Federation, by withdrawal of assets or other means, avoids paying the debt to Frans J. Sedelmayer in accordance with the award. A delay constitutes a risk to the detriment of the applicant. Security has been provided for any damage which could be inflicted on the Russian Federation.

The decision of the District Court may be appealed to the Svea Court of Appeal within three weeks from the receipt of the decision.

The Russian Federation will have the opportunity to file a reply in the seizure matter within seven days from the receipt of the application and this decision. The District Court may then re-visit the seizure matter.

S. A.