

JUDGES

10 CIV 9257

UNITED STATES DISTRICT
SOUTHERN DISTRICT OF NEW YORK

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Mohammad Ammar Al-Bahloul

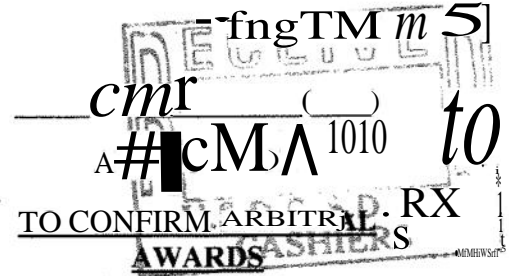
Plaintiff,

-against-

The Republic of Tajikistan

Defendant,

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Plaintiff Mohammad Ammar Al-Bahloul ("Mr. Al-Bahloul") brings this Application to Confirm Arbitral Awards ("Application") pursuant to Section 207 of the Federal Arbitration Act ("FAA"), 9 U.S.C §207, and the Convention on the Recognition and Enforcement of Foreign Arbitral Awards ("The New York Convention"), codified at 9 U.S.C. §201:

1. Mohammad Ammar Al-Bahloul respectfully requests that the court confirm the Partial Award on Jurisdiction and Liability (issued in Stockholm September 2, 2009) and the Final Award (issued in Stockholm June 8, 2010) in Stockholm Chamber of Commerce arbitration number V(064/2008) and the court enter an enforceable judgments against the Defendant The Republic of Tajikistan ("Tajikistan") pursuant to the FAA and the New York Convention.
2. The court shall grant this application because:
 - a. The Republic of Tajikistan may be served process pursuant to Sections 302 and 313 of the New York long arm statute, N.Y. C.P.L.R 302, and Articles 2 through 7 of the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, Nov. 15, 1965 [1969], 20 U.S.T. 361, T.I.A.S. No. 6638. The plaintiff has complied with these requirements by delivering this application via certified mail to the President of the Republic, the Minister of Mines, and the its representative in the US;
 - b. Section 203 of the FAA, 9 U.S.C §203, expressly confers original subject matter jurisdiction on this Court over proceedings falling under the New York Convention;
 - c. This court has specific Personal Jurisdiction over Tajikistan because it has purposefully availed itself of the benefits of this forum by its maintenance of a permanent mission at 216 East 49th Street, New York, NY 10017 (§304.4) and the maintenance of federally insured and protected bank accounts with Chase Manhattan Bank in New York City (§302,1). This court also has personal

jurisdiction over Tajikistan as it has impliedly consented to personal jurisdiction in this forum;

- d. Venue is proper in this district under section 204 of the FAA, 9 U.S.C. §204, and the general venue statute, 28 U.S.C. §1391; and
- e. Mohammad Ammar Ai-Bahloul has complied with the requirements of Article IV (1) of the New York Convention by supplying with this application: (i) a copy of the Partial Award on Jurisdiction and Liability (Exhibit 1-B), certified as a true and accurate copy by the Plaintiff (Exhibit at 1-A); (ii) a copy of the Final Award (Exhibit 2-B), certified as a true and accurate copy by the Plaintiff (Exhibit 2-A); (iii) a copy of the arbitration agreement (Exhibit 3) given effect by the signing of the Energy Charter Treaty by the Republic of Austria and Tajikistan.

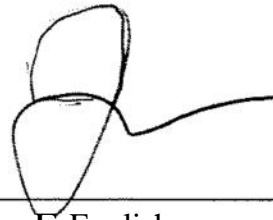
REQUEST FOR RELIEF

3. For the reasons set forth in this Application , Plaintiff Mohammad Ammar Al-Bahloul respectfully requests that Plaintiff have judgment as follows:
 - a. That this court enter an order confirming the Partial Award on Jurisdiction and Liability and Final Award and ordering Defendant to pay Plaintiff EUR\$ 552,488 and SK\$ 4063;
 - b. That Plaintiff be awarded its attorney's fees in connection with it Application to Confirm Arbitral Awards;
 - c. The Plaintiff be awarded its cost of suit;
 - d. The Plaintiff receive all other relief which it is justly entitled to.

Dated: Denver, Colorado
December 6, 2010

Respectfully submitted,

ENGLISH & VELTRI, LLC

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

By: _____
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