

AMMAR ELBANNA SUCCESSFULLY REPRESENTS CLIENT IN UAE FEDERAL SUPREME COURT

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In a recent case, **Ammar ElBanna**, the Founder of Incept Legal and Of Counsel at Khodeir & Partners, represented a multinational company and succeeded in persuading the UAE Federal Supreme Court to uphold the stipulated liquidated damages clause in an employment contract.

The circumstances of this incident involved a previous worker who infringed discretion after the termination of his job agreement. After this, ElBanna acted for the previous employer and was able to demonstrate that the employee did in fact violate his post-termination confidentiality obligation.

Subsequently, ElBanna argued to the Court that damages, in the event of a breach of confidentiality, had already been agreed upon between the employer and the employee, so no assessment of damages was necessary.

The Courts (both First Instance and Appeal) accepted ElBanna's assertions and obliged the employee to pay the employer a substantial compensation in US dollars as stated in the employment agreement.

This position has now been confirmed by the UAE Federal Supreme Court by virtue of a full and final verdict.