

Trio to be charged with breach of trust

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- By Bassam Za'za', Senior Reporter
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• **GULF NEWS**

Dubai: Dubai's highest court on Monday modified a fraud charge to breach of trust against an ex-minister and two managers in a lawsuit lodged against them by a Lebanese businesswoman.

"The jury has modified the swindling charge to breach of trust. Hereby, we alert the Dubai Public Prosecution, defence lawyers and claimants in civil rights to present their closing arguments according to the newly modified charge. The court adjourns until February 22," said the Cassation Court's Presiding Judge Mohammad Nabeel Riyad yesterday.

According to the new charge, Emirati former state minister K.B., American general manager S.A., and Indian finance manager P.M., will be prosecuted for breaching the trust of the 37-year-old businesswoman, M.J.

During Monday's hearing, K.B.'s lawyers Samir Ja'afar and Hussain Al Jaziri, and the managers' advocate Abdul Monem Bin Suwaidan, asked Presiding Judge Riyad for an adjournment to present their defence.

Essam Al Tamimi, M.J.'s legal representative in civil rights, asked the jury for an adjournment to hear the statements of new prosecution witnesses.

"The Court of Misdemeanours already heard the statements of prosecution witnesses," Presiding Judge Riyad told advocate Al Tamimi.

Last month, the Cassation Court overturned the Appeals Court judgment to acquit, K.B., S.A. and P.M. [on the charge of swindling M.J.] and decided it would hold a retrial. Yesterday the court modified the charge and the suspects are currently being retried for breach of trust.

The ex-minister and the managers were earlier charged with swindling and misleading the businesswoman to waive her stake in an information technology firm.

In December 2009, prosecutors and M.J. appealed to the Cassation Court against the acquittal — for the second time in six months.

In November, the Appeals Court acquitted K.B., S.A. and P.M. of swindling and misleading M.J.

"The Appeals Court also dismissed M.J.'s appeal in civil rights, regarding the swindling charge, because it fell beyond the criminal court's jurisdiction," the appeals verdict stated.

In July 2009, the Cassation Court overturned the acquittal of the three defendants and ordered a new panel of appeal judges to hold a retrial — concerning the swindling charge.

K.B., S.A. and P.M. had pleaded not guilty to the charge of swindling and defrauding M.J. by coercing her into waiving her late brother's stake in the company.

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