

**COMMERCIAL
COURT
OF PONTOISE**

**JUDGEMENT OF September 15, 2014
8th Chamber**

Mr. Gholam ZANDIAN JAZI

Against

SCP CANET-MORAND in the person of Me. (maître) CANET representing LJ Mr. ZANDIAN JAZI

LLOYDS BANK (France) LIMITED

BANK MELLI IRAN

LLOYDS BANK

N° General Registry: 2002L00751

APPLICANT

Mr. Gholam ZANDIAN JAZI 6 E. Fournier Street 75016 PARIS
represented by the SCP HYEST 39 Victor Hugo Avenue 75116
PARIS, not appearing.

DEFENDANTS

1°) SCP CANET-MORAND in the person of Me.

CANET 1 Citadelle (Citadel) Street 95300 PONTOISE, as

legal liquidator of Mr. Gholam ZANDIAN JAZI

comparing by the SCP GAYRAUD 13 bis Eperon Street

Residence Clos de l'Eperon (the ending of the spur) 95300 PONTOISE

2°) LLOYDS BANK (FRANCE) LIMITED 43 Boulevard of Capucines

75002 PARIS

Comparing by Me. Sophie ECHEGU-SANCHEZ 69 Saint Martin

Street 95300 PONTOISE

3°) BANK MELLI IRAN 43 Montaigne Avenue 75008 PARIS

Represented by Me. Sandrine BOSQUET 48 Justice Street 95300 PONTOISE, not
appearing.

4°) LLOYDS BANK 15 Léna Avenue 75016 PARIS

Represented by Ms. CHARTIER 81 Raymond Poincare Avenue

75116 PARIS, not appearing

COMPOSITION OF THE COURT

Deemed contradictory decision and in first instance.

Debates, discussions closed and taken under advisement at

the hearing on June 16, 2014 in Council Chamber where

sat Mr. Fernand RIOT, President, Mr. Joel SAHLER,

Judge, M. J. Lucien FARRACHE, Judge, assisted by Mrs.

Dominique PAVANELLO-MASMOUDI, Registrar.

Deliberated by the same Judges.

Pronounced publicly by provision of the judgment to

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the Court Registry, in accordance with Article 450 of the Code of Civil Procedure.

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By order dated June 21, 2002, the Commissioner Judge of the bankruptcy / judicial liquidation of Mr. Gholam ZANDIAN JAZI authorized the sale by public auction of a property located at 6 rue Edouard Fournier 75016 PARIS;

Following registered opposition in the Registry on July 3, 2002, Mr. Gholam ZANDIAN JAZI objected to that order;

By judgment delivered on March 29, 2010, the Commercial Court of Pontoise has kept the instance pending a decision of the Court of Appeal of Versailles.

The parties were duly notified by the Registry of this procedure; the case was referred to many times and was finally discussed at the hearing of March 31, 2014;

By judgment rendered on April 28, 2014, the Commercial Court of Pontoise ordered the reopening of the debates and referred the parties to the hearing of June 16, 2014 at 9 am with an injunction to conclude to Mr. ZANDIAN JAZI about his withdrawal;

Given that, by letter dated on June 11, 2014, the SCP HYEST and ASSOCIATED plaintiff's lawyer declared to withdraw the introduced instance;

That Me. GAYRAUD lawyer of the SCP CANET-MORAND in the person of Me. CANET and Me. Sophie ECHEGU-SANCHEZ, LLOYDS BANK (France) LIMITED's lawyer have not opposed to the application for withdrawal; The BANK MELLI IRAN represented by Me. BOSQUET lawyer and the LLOYDS BANK represented by Me. CHARTIER lawyer, did not appear.

Given that, according to Article 394 of the Code of Civil Procedure, the applicant may withdraw his request to terminate the instance and the action;

Such is the case here;

Given that, this withdrawal is admissible as regular;

That the expenses of the closed instance will be charged to the party that withdraws according to Article 399 of the Code of Civil Procedure;

FOR THESE REASONS

The Court after deliberation,

Gives certificate to the applicant of his withdrawal on the instance and action;

Notes the extinction of the instance by the effect of that withdrawal;

Leaves the expenses of this judgment, liquidated to the sum of: 226.05 euros charged to the applicant.

Judgment signed by Mr. Fernard RIOT, President and by Mrs. Dominique PAVANELLO-MASMOUDI Registrar, to whom the minute was handed by the signatory Judge.

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