

MUKHIT YELEUOV

ADL Disputes
Partner

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"a fantastic advocate in the courts"
Legal 500 EMEA

"unbelievable trilingual litigator"
Arbitration Powerlist CIS and Caucasus

"he is very knowledgeable; he knows every detail and he pays attention to everything"
Chambers Asia-Pacific

"he is very strong in the logical structuring of a case"
Chambers Asia-Pacific

**Leading Individual in Dispute Resolution,
Kazakhstan**

**Legal 500: 2017, 2018, 2019, 2020,
2021, 2022, 2023, and 2024**

**Band 1 Lawyer in Dispute Resolution,
Kazakhstan**
**Chambers Asia-Pacific: 2018, 2019, 2020,
2021, 2022, 2023, and 2024**

OVERVIEW

Mukhit Yeleuov is a co-founding partner at ADL Disputes. He is based in Astana and heads the firm's Astana office.

Mukhit is a disputes lawyer with over 20 years of experience. He was a partner and the head of Kazakhstan dispute resolution practice at an international law firm.

Mukhit has advised on numerous high-stakes disputes in Kazakhstan and disputes arising out of Kazakhstan or Central Asia. He has represented many clients in international arbitration, the Astana International Financial Centre (AIFC) Court, and various Kazakhstan courts (including the Supreme Court).

Mukhit acts as a Kazakh law expert for foreign and international tribunals and occasionally sits as an arbitrator.

Mukhit is a former Board Member of the Kazakhstan Bar Association (KazBar). He is also a former co-chair of the KazBar's Arbitration and Litigation Committee. He regularly speaks and writes on arbitration and civil procedure matters. Mukhit is fluent in English, Kazakh, and Russian, and speaks Turkish.



ACADEMIC BACKGROUND

Harvard Law School	Cross-registered student, 2023-2024, the Bolashak Scholarship
Harvard Kennedy School	Master of Public Administration (MPA), 2023-2024, the Bolashak Scholarship
Indiana University Maurer School of Law	Doctor of Juridical Science (S.J.D), 2003-2006, full scholarship from the Indiana University Maurer School of Law
Indiana University Maurer School of Law	Master of Laws (LLM), 1999-2000, full scholarship
Kazakh National University	Bachelor of International Law, 1994-1999, top 1% of graduating class, highest honors (red diploma), full state scholarship

SELECTIVE RECENT EXPERIENCE

COMMERCIAL DISPUTES

- Represented **Qarmet JSC** in the International Arbitration Centre (“IAC”) arbitration arising out of a multi-million-dollar claim under a supply contract with Oriental Rubber Industries Pvt. Ltd., an Indian producer of industrial equipment.
- Defended **Total Energies EP Danmark A/S** in the Astana International Financial Centre (AIFC) Court against a multi-hundred-million-dollar claim arising out of a sale of shares in an oil and gas company.
- Represented **Freschette Limited**, a foreign crypto mining company, in Kazakhstan International Arbitrage (KIA) arbitration arising out of a multi-million-dollar dispute under a crypto-mining contract with Enegix LLP, a Kazakh data center. The dispute was settled on favorable conditions.
- Advised **Sturgis Investments Ltd** on an ICC arbitration arising out of a multi-million-dollar dispute under a JV agreement with Seha Corporation Acret Ltd, a foreign company.
- Defended **Kazphosphate Limited** in the Astana International Financial Centre (AIFC) Court against a multi-million-dollar claim brought by Michael Wilson & Partners Limited, a law firm. The claim was dismissed on jurisdictional grounds.
- Advised a **LARGE KOREAN CONGLOMERATE** in the Kazakhstan Supreme Court proceedings related to a multi-million-dollar sale of a subsidiary company and several land plots in Almaty.
- Advised a **GLOBAL OIL AND GAS COMPANY** on a potential multimillion-dollar claim by its contractor arising out of a customs dispute involving the contractor.



- Advised an OILFIELD SERVICES COMPANY in a dispute related to the recovery of leased equipment from a lessee.
- Defended a LARGE SERVICES PROVIDER in Kazakhstan courts against a multi-million claim by a building owner arising out of a fire at a building leased from the owner. The claim was dismissed in full.

CONSTRUCTION DISPUTES

- Acted as a party-appointed Kazakh law expert in a Dubai-seated arbitration arising out of a multi-million-dollar dispute between a CONTRACTOR and a subcontractor for the construction of the tallest building in Central Asia. The dispute centered on the interpretation of numerous provisions of a construction contract as well as Kazakh law provisions on construction contracts and the principle of good faith behavior. The arbitration involved complex claims, counterclaims, and contract termination, with issues of contractual performance, notifications, etc.
- Advised a BUILDING OWNER in a Dubai-seated arbitration arising out of a multi-million-dollar dispute between the owner and a contractor for the construction of the tallest building in Central Asia. The arbitration involved complex claims, and counterclaims, with issues of contractual performance, etc.
- Represented ENKA İnşaat ve Sanayi A.Ş. in a 200-million-dollar dispute with Capital Partners related to alleged defects in construction work, attempted use of a guarantee for a defect notification period, and other issues.
- Represented ENKA İnşaat ve Sanayi A.Ş in several multimillion-dollar disputes with several developers, a landowner, and the state registration authority.
- Advised Trans-Asia Gas Pipeline Company Ltd. (a subsidiary of CNPC) on dispute resolution provisions of several multi-billion contracts with Kyrgyzstan and Tajikistan.



PROFESSIONAL MALPRACTICE DISPUTES

- Advised a "BIG FOUR" AUDITING FIRM on a multimillion-dollar claim in an English court by a large Kazakh bank asserting a breach of contractual obligations and audit standards.
- Defended a "BIG FOUR" AUDITING FIRM in a Kazakhstan court against a claim brought by a large state-owned industrial company asserting breach of contractual obligations and audit standards.
- Advised a "BIG FOUR" AUDITING FIRM on an inspection by the Office of the Public Prosecutor related to an audit of a large bank.
- Represented an INDIVIDUAL on a medical malpractice claim against a local clinic tried in Kazakhstan courts.

CUSTOMS DISPUTES

- Represented **Inditex** (and its seven subsidiaries) in several interrelated multi-million-dollar customs disputes related to royalties for know-how, IT, and company name.
- Represented **Procter & Gamble** in several interrelated disputes with the customs authorities, pertaining to multimillion-dollar claims against the company in connection with customs classification of multi-component goods.
- Represented a GLOBAL OIL AND GAS COMPANY in several interrelated disputes with the customs authorities, pertaining to multimillion-dollar claims against the company and its contractor in connection with the issue of the proper declarant (importer of record) and other issues.
- Represented a GLOBAL CONSUMER GOODS COMPANY in a dispute with the customs authorities, pertaining to multimillion-dollar claims against the company in connection with customs duties and penalties related to royalties.
- Represented a LARGE OIL PRODUCTS COMPANY in a dispute with the customs authorities, pertaining to multimillion-dollar claims against the company in connection with customs duties and penalties related to the classification of goods for customs purposes.
- Represented a KAZAKHSTAN SUBSIDIARY OF A MAJOR FOREIGN COMPANY in a dispute with the customs authorities, pertaining to excise duties.

TAX DISPUTES

- Represented **PFDI** in a dispute with the tax authorities, pertaining to multimillion-dollar tax claims against the company in connection with disallowance of local branch expenses.



- Represented **PFDI** in a dispute with the tax authorities, pertaining to multimillion-dollar tax claims against the company in connection with the disallowance of head office general and administrative expenses.
- Represented a **SMALL OIL AND GAS ENGINEERING AND INFRASTRUCTURE COMPANY** in a dispute with the tax authorities, pertaining to multimillion-dollar tax claims against the company in connection with disallowance of head office general and administrative expenses.

ADMISSIONS

- Kazakhstan (Kazakhstan Bar Association)
- The Astana International Financial Centre (AIFC) Court

RELEVANT PUBLICATIONS

1. *"Kazakhstan" GAR Investment Treaty Arbitration Update 2020* – GAR Inside (with Patricia Nacimiento, Herbert Smith Freehills), 2020
2. *"Kazakhstan" GAR Investment Treaty Arbitration Update 2019* – GAR Inside (with Patricia Nacimiento, Herbert Smith Freehills), 2019
3. *"Investment Climate and Dispute Resolution: Some Problems and Solutions"* (*"Инвестиционный климат и разрешение споров: некоторые проблемы и решения"*), 2017 https://online.zakon.kz/Document/?doc_id=37223336&pos=5;-135#pos=5;-135
4. *"Civil Procedure: Some Problems of Proving"* (*"Гражданский процесс: некоторые проблемы доказывания"*), 2017 https://online.zakon.kz/Document/?doc_id=32404934