

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
Claim No: [KB-2025-001991 or as assigned]

BETWEEN

ALKIVIADES DAVID

Claimant

-and-

(1) MAHIM KHAN
(2) HOWARD KENNEDY LLP
(3) [Any Enforcement Agent / Assignee – to be identified]
Defendants

AMENDED PARTICULARS OF CLAIM

(Challenge to Enforcement of Foreign Judgment – English Procedural Grounds)

Nature and Scope of the Claim

This claim is strictly limited to the manner in which the California civil judgment in Los Angeles Superior Court Case No. BC654017 (Mahim Khan v Alkiviades David et al., judgment December 2019, affirmed 2022 Case No. B305849) has been presented, relied upon and enforced in England and Wales. The Claimant does not challenge the substantive merits, validity or finality of the judgment in its originating jurisdiction.

English Enforcement Activity

Between 2024 and the present, the Defendants have relied on the California judgment in proceedings and applications in England and Wales, including asset pursuit, freezing and enforcement measures, information orders, and steps resulting in a contempt finding dated 16 October 2025.

Post-Judgment Sworn Affidavits

Sworn affidavits by Yelena Calendar (June 2025) and Gary Shoefield (July 2025) state that prior evidence was materially mischaracterised in post-judgment contexts. These affidavits existed prior to or during material stages of the English enforcement activity.

Materiality

The affidavits were material to the Court's assessment of reliability, proportionality, and fairness in granting enforcement relief.

Breach of Duty

Applicants seeking relief without notice are under a strict and continuing duty of full and frank disclosure (*Brink's-Mat Ltd v Elcombe* [1988] 1 WLR 1350; *Arena Corp Ltd v Schroeder* [2003] EWHC 1089 (Ch)). The affidavits were not disclosed.

Oppression and Disproportionality

Enforcement without disclosure caused commercial interference, financial restriction, and escalated legal costs.

Causation and Loss

Financial loss is estimated at not less than £750,000, including lost engagements and escalated costs. A Schedule of Loss will follow.

Regulatory Context

The Claimant lodged a complaint with the Solicitors Regulation Authority (Reference: RGC-000163422). No regulatory finding is asserted.

Relief Sought

Declaration of breach, discharge/variation of enforcement orders, damages, costs, and further relief as just.

Statement of Truth

I believe that the facts stated in these Amended Particulars of Claim are true. I am duly authorised by the Claimant to sign this statement.

Signed electronically (reasonable adjustment due to disability):

Alkiviades David

/s/ Alkiviades David

Dated: 25 February 2026