



ARDAK IDAYATOVA

Senior Associate, Deputy Head of Dispute Resolution and Arbitration practice

AEQUITAS Law Firm

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Ardak Idayatova specializes in civil, contract, land, tax, customs, construction and real estate legislation.

Ardak is currently the firm's leading lawyer for the construction and immovable property matters. She is also the firm's leading dispute resolution lawyer with a primary focus on construction arbitration and litigation. She has represented clients, acting as counsel, in complicated arbitrations seated in Stockholm, London and Almaty. She also represents clients before the Kazakhstan courts of all levels and acts as counsel in commercial arbitrations, seated both in Kazakhstan and abroad. Ardak is exhaustive in her approach.

In 2018, she has been promoted to the position of Deputy Head of Dispute Resolution. Before she joined AEQUITAS in 2007, she worked as a lawyer at several commercial organizations.

Ardak graduated with honors from the law department of Kainar University in 1999. She is a member of the Kazakhstan Bar Association.

MOST REPRESENTATIVE PROJECTS

Construction and Real Estate

- Advice to a large Swiss oil service company in connection with the preparation of a contract for the construction of facilities at a major Kazakhstan's oil and gas field and adjustment of the FIDIC model contract "Conditions of Contract for Construction" (Red Book 1999) to the local legislative requirements.
- Advice to an international architectural company regarding performance of contractual obligations related to the construction of facilities in the Burabay resort zone.
- Advice to a major foreign investor regarding legal regulation of the acquisition of rights to agricultural-designation land plots and possibility of their recovery in the framework of bankruptcy and enforcement proceedings and issues of entering into joint operating agreements with peasant farms and associated risks.
- Representation of an international construction company in matters involving performance of contractual obligations related to the construction of oil and gas pipelines in West Kazakhstan.
- Advice to a number of South Korea major construction companies and banks on a wide range of construction, construction finance and related issues pertaining to their projects in Kazakhstan, including shared participation in construction, taking of land for the construction of compounds (e. g., APPLE TOWN residential complex in Almaty and

some other construction projects), permits and authorizations, regulation over certain construction stages, etc.

- Advice to a Czech financial institution on a wide range of issues in the sphere of construction and financing of a residential complex in Almaty, including matters of shared participation in construction, possible premises sale scenarios, permits and authorizations, regulation over certain construction stages, etc.
- Advice to a local company in connection with a ski resort construction in Ile-Alatau national park near Almaty, including matters of transferring lands from the "specially protected" category to other categories for the purposes of the resort construction.
- Advice to Jones Lang LaSalle (USA) on legal regulation of engineering activities in Kazakhstan.
- Advice to one of Kazakhstan's major companies active in shared construction regarding structuring of a transaction associated certain partners' participation in a residential micro-district construction project in West Kazakhstan.
- Conducting due diligence and advising METRO Cash & Carry in connection with its acquisition of immovable property in Kazakhstan, as well as trade, logistics and supply matters.
- Advice to a major foreign automotive concern regarding acquisition of immovable properties in Kazakhstan.
- Preparation of legal opinion and legal support in collateralization transactions to secure financing for a number of major local developers.

Customs

- Ongoing advice to Chevron on customs law matters, including payment of export customs duties, importation of goods for personal use, etc.
- Advice to Johnson & Johnson on customs legislation matters, including import and circulation of medicines, medical products and other products subject to control, and issues of parallel import and customs declaring.

Due Diligence

- Participation in the due diligence of a number of local companies: subsoil users, small capacity oil refinery, large transportation company, several local developer companies and others, in connection with the attraction of finance or alienation of their participation interests/shares in favor of foreign companies.

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