

Rules Of the North-Western Circuit Arbitration Tribunal Under Sever Capital LLC

(With Sever Capital LLC warrant №10 adopted from 27th June, 2011)

Clause 1. General Provisions

1. The North-Western Circuit Arbitration Tribunal (hereinafter referred to as Arbitration Tribunal) is a constantly active arbitration tribunal destined for settling economic disputes resulted from the civil legal relations, associated with entrepreneurship and other economic activities implemented by organizations and entrepreneurs registered in Russian Federation and other countries, as well as for settling other disputes and defence of the broken or challenged civil rights between individuals and legal entities under the condition that such disputes can be a subject of arbitration trials in compliance with Federal laws and international treaties of Russian Federation.

Arbitration tribunal has a round seal. Its activity is financially secured and arranged by Sever Capital LLC State registered number 1117847221788, which location is similar to the one of Arbitration Tribunal.

2. The order of Arbitration Tribunal arrangement and operation as well as the rules of arbitration trial are determined by the legislation in force and these Regulations, if the Parties have not come to an agreement about other arbitration proceedings rules applied.

3. Arbitration Tribunal upon the Parties arbitration agreement stipulating a dispute submission to Arbitration Tribunal has the right to settle disputes.

To apply to the Arbitration Tribunal, observance of the preliminary order of settling disputes by the Parties themselves is not required.

4. The question about Arbitration Tribunal competence possessed to settle a specific case is to be solved by Arbitration Tribunal membership, elected or assigned in accordance with the present Regulations.

5. In rare cases and when having well-ground doubts about a dispute to be the subject of the arbitration trial or to be beyond Arbitration Tribunal jurisdiction, the question about Arbitration Tribunal competence possessed to settle a case is to be submitted to the Chairman (Deputy Chairman) of Arbitration Tribunal before forming a composition of the court. If the Chairman (Deputy Chairman) concludes Arbitration Tribunal to have no apparent competence, he/she takes a decision to send a complaint back. If the Chairman (Deputy Chairman) doesn't arrive to such a conclusion, then the question about Arbitration Tribunal competence possessed to settle a specific case is to be submitted to Arbitration Tribunal composition elected or assigned in accordance with the present Regulations.

Clause 2. The Name, Location and Essential Elements of the North-Western Circuit Arbitration Tribunal under Sever Capital LLC

1. The full name of Arbitration tribunal is the North-Western Circuit Arbitration Tribunal under Sever Capital LLC.
2. The location is the North-Western Circuit Arbitration Tribunal under Sever Capital LLC. If the other is not defined in compliance with Regulations of the North-Western Circuit Arbitration Tribunal under Sever Capital LLC, the location of Arbitration tribunal is the place of arbitration proceedings.
3. The North-Western Circuit Arbitration Tribunal under Sever Capital LLC has a round stamp containing its full name in Russian.

Clause 3. Arbitration Tribunal Organization And Activity

1. Arbitration tribunal has:
 - the Chairman;
 - Deputy Chairman;
 - Reporters;
 - Arbitrators;
 - Senior clerk of court.
2. Disputes settlement in Arbitration tribunal is conducted by arbitrators elected or assigned in compliance with Arbitration tribunal Regulations.

Clause 4. Arbitration tribunal Chairman and his Deputy

1. Arbitration tribunal Chairman is assigned by general director of Sever Capital LLC.
2. Deputy Chairman is to be assigned from the list of arbitrators of Arbitration tribunal by Arbitration tribunal Chairman.
3. Arbitration tribunal Chairman and his Deputy fulfill their duties forming arbitration tribunal composition and taking other procedural actions in accordance with the order stipulated by Arbitration tribunal Regulations.
4. Arbitration tribunal Chairman is to:
 - provide arrangement of cases settlement by Arbitration tribunal;
 - attest copies of Arbitration tribunal decisions;
 - present Arbitration tribunal Regulations and the list of arbitrators for the Sever Capital LLC general director to confirm them;
 - define the order of records management in Arbitration tribunal;
 - confirm the order and terms of having custody of records;
 - assign Arbitration tribunal Senior clerk of court;
 - reconcile and /or confirm Arbitration tribunal organizational and activity providing documents;
 - be in charge of Arbitration tribunal logistical support.

In absence of Arbitration tribunal Chairman his duties specified in item 4 clause 4 of the present Rules are to be performed by Arbitration tribunal Deputy Chairman.

Clause 5. Reporters

1. On case taken over in Arbitration tribunal, the Chairman if necessary assigns and confirms a reporter from the reporters list which is established and renewed by the Chairman on temporary basis. To be included in the list of reporters one is to have a higher juridical education.
2. The reporter is to keep records of juridical proceedings, attend private meetings of arbitration tribunal composition and execute orders relating to arbitration proceedings.

Clause 6. Arbitration Tribunal Senior clerk of court

1. Arbitration tribunal Senior clerk of court is assigned by Arbitration tribunal Chairman.
2. Arbitration tribunal Senior clerk of court is to have a higher juridical education and work experience in settling legal disputes for no less than 1 year.
3. Arbitration tribunal Senior clerk of court performs his/her duties arranging arbitration trial, making other procedural acts in accordance with the order stipulated by Arbitration tribunal Regulations.

Clause 7. Arbitrators

1. Arbitrator can elect or assign an individual able to provide an impartial dispute settling, directly or indirectly uninterested in the outcome of the case, independent of the dispute Parties and who has agreed to execute the arbitrator's duties.
2. The arbitrator who settles the dispute single-handedly must have a higher juridical education and work experience in the field for no less than 3 years. In case the dispute is settled collectively, it is a Chairman of arbitration tribunal composition who must have a higher juridical education and work experience in the field for no less than 3 years.
3. Individual who:
 - does not possess a full legal capacity;
 - is under the guardianship or trusteeship;
 - has previous convictions or there are criminal proceedings instituted against him;
 - has lost his/her powers as a judge of general jurisdiction court or arbitration tribunal, or as a lawyer, a notary public, an investigator, a prosecutor, or another law enforcement agencies worker, due to the powers having been terminated in the manner prescribed by law for the misdemeanours incompatible with his/her professional work;
 - cannot be elected (assigned) as an arbitrator due to the individual's official status cannot perform as an arbitrator.
4. Arbitration tribunal composition is formed to consider disputes in Arbitration tribunal in accordance with Arbitration tribunal Regulations on the basis of the Parties' equal rights and with one or three arbitrators' participation.

5. The list of arbitrators is to be introduced by Arbitration tribunal Chairman and confirmed by General Director of Sever Capital LLC, and has a recommendatory opinion.
6. The fact of being included in the List of arbitrators, election (assignment) of the arbitrators included in the List of arbitrators for dispute consideration, as well as their receiving or not receiving fees for disputes consideration in Arbitration tribunal do not imply arbitrators' being associated with Sever Capital LLC and its operating control.

Clause 8. Principles of Arbitration Trial

Arbitration trial is to be conducted on the principles of legality, confidentiality, arbitrators' independence and impartiality, as well as dispositive attitude, competitiveness and equal rights of the Parties.

Clause 9. Norms of law applied to settle disputes

1. Arbitration tribunal is to settle a dispute under the authority of Constitution of Russian Federation, federal constitutional laws, normative decrees of the President of Russian Federation and executive orders of Russian Federation government, normative enactments of the federal executive power bodies, normative enactments of Russian Federation subjects and local authorities, international treaties of Russian Federation and other normative enactments effective in Russian Federation.
2. Decision on a dispute is to be taken in accordance with the agreement terms and considering customs of business circulation.
3. If the Parties relationships are not regulated directly by norms of law or the Parties agreement, and there's no custom of circulation applied to such relationships, arbitration tribunal is to apply norms of law regulating similar relationships, or in case of absence of such norms, settle a dispute considering general basis and meanings of laws and other normative enactments.

Clause 10. Arbitration tribunal independence and confidentiality of arbitration proceedings

1. On all issues concerning arbitration disputes settling and taking decisions on them, Arbitration tribunal does not depend on operating control and employees of Sever Capital LLC, its society and other individuals.
2. Operating control and employees of Sever Capital LLC do not have the right to exert influence over Arbitration tribunal Chairman, Deputy Chairman, Senior clerk of court and arbitrators as long as they perform their duties on settling disputes.
3. Arbitrators and individuals providing Arbitration tribunal operation do not have the right to divulge information about arbitration proceedings by act of law.

4. Arbitration tribunal decisions and their copies attested by Arbitration tribunal Chairman can be handed and /or sent only to the Parties of a dispute or their authorized representatives.

5. Cases which have been considered by Arbitration tribunal can be submitted to the competent court that is to consider if an application for a writ of execution should be revoked or handed for Arbitration tribunal decision enforcement only in the order and on the grounds stipulated by the Federal law.

Clause 11. Defining of arbitration trial rules

1. When a dispute is submitted to Arbitration Tribunal, the Rules of Arbitration tribunal, the Regulations and other rules of arbitration trial are to be regarded as the arbitration agreement integral part.

2. The Parties of Arbitration trial can agree on individual rules of arbitration trial:

- within an area which is unspecified in the Regulations or in the Federal law;
- in cases when the Federal law, the Rules of Arbitration tribunal, the Regulations of Arbitration tribunal or other rules of arbitration trial of the Arbitration tribunal allow the Parties to negotiate individual issues.

Clause 12. Arbitration tribunal decision and its execution

1. Arbitration tribunal decision is final and obligatory for the Parties.

2. If Arbitration agreement does not stipulate that Arbitration tribunal decision is final, then it can be challenged by a Party participating in arbitration trial by applying to the competent court for the decision to be revoked.

3. The Parties and Arbitration tribunal make reasonable efforts for the Arbitration tribunal decision to be legally feasible.

4. Arbitration tribunal decision is to be executed by the Parties on a voluntary basis at a time stated in the decision and in the order specified by the decision and the Regulations of Arbitration tribunal.

5. Arbitration tribunal decisions unexecuted on time are to be executed in compliance with the law and international agreements of Russian Federation.

Clause 13. Ensuring Arbitration Tribunal Activities

1. Organizational ensuring of Arbitration tribunal activities is performed by Sever Capital LLC.

2. Organizational ensuring of Arbitration tribunal activities is understood to be the following:

- organization of documents and materials exchanging among the Parties of arbitration proceedings, arbitrators and Arbitration tribunal;
- rendering assistance to Arbitration tribunal Chairman, Arbitration tribunal Deputies Chairman, Senior clerk of court and arbitrators, and executing their assignments concerning arbitration proceedings organization and preparation for sessions of arbitration tribunal composition;

- keeping court cases records;
- arrangement of conditions for having custody of Arbitration tribunal cases records.

Clause 14. Keeping Records and Having Custody of Records

1. Keeping of records is carried on in Russian language in the order confirmed by Arbitration tribunal Chairman.
2. Records of cases settled by Arbitration tribunal are being kept in the tribunal for 5 years after the decision has been taken.

Clause 15. Logistical support of Arbitration Tribunal

1. Logistics of premises, transport, office equipment, communication and other equipment necessary for Arbitration tribunal operation is carried out by Sever Capital LLC.
2. Officials of Sever Capital LLC within their competence render assistance to Arbitration tribunal in organization of its activities as regards logistical support and financing.