

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

DISCOVERY GLOBAL LLC

(United States)

Claimant

– v –

THE SLOVAK REPUBLIC

Respondent

(ICSID Case No. ARB/21/51)

**CONSOLIDATED INDEX
OF LEGAL AUTHORITIES**

Members of the Tribunal:

Professor Gabrielle Kaufmann-Kohler, President

Mr. Stephen L. Drymer, Arbitrator

Professor Philippe Sands KC, Arbitrator

SQUIRE 
PATTON BOGGS

Slovak Republic's 4 March 2022 Letter to Tribunal		
Exhibit No.	Description	Date
RL-001	Letter from Slovak Republic to Tribunal (Originally labeled as Annex 1)	17 February 2022
RL-002	<i>Dirk Herzig as Insolvency Administrator over the Assets of Unionmatex Industrieanlagen GmbH v. Turkmenistan</i> , ICSID Case No. ARB/18/35, Decision on Security for Costs (Originally labeled as Annex 2)	27 January 2020
RL-003	<i>Manuel García Armas et al. v. Bolivarian Republic of Venezuela</i> , PCA Case No. 2016-08, Procedural Order No. 9 (Originally labeled as Annex 3)	20 June 2018
RL-004	Proposals for the Amendment of the ICSID Rules, Rule 53 (Originally labeled as Annex 4)	November 2021
Slovak Republic's 29 March 2022 Letter to Tribunal		
RL-005	<i>Vincent J. Ryan, Schooner Capital LLC and Atlantic Investment Partners LLC v. Republic of Poland</i> , ICSID Case No. ARB(AF)/11/3, Award	24 November 2015
RL-006	<i>Occidental Petroleum Corporation and Occidental Exploration and Production Company v. The Republic of Ecuador</i> , ICSID Case No. ARB/06/11, Decision on Annulment of the Award	2 November 2015
RL-007	J. van Goeler, <i>Jurisdictional Issues and Third-Party Funding in THIRD-PARTY FUNDING IN INTERNATIONAL ARBITRATION AND ITS IMPACT ON PROCEDURE</i> (Kluwer Law International)	2016
RL-008	D. Bederman, <i>Beneficial Ownership of International Claims</i> , 38 Int'l and Comparative Law Quarterly, 935.	1989
RL-009	<i>James M. Saghi, Michael R. Saghi, and Allan J. Saghi, Claimants, v. The Islamic Republic of Iran</i> , Iran-US Claims Tribunal, Case No. 298, Award.	January 22, 1993
RL-010	A. Goldsmith and L. Melchionda, <i>Third Party Funding in International Arbitration: Everything you ever wanted to know (but were too afraid to ask): Part 2</i> , 2 Int'l Business Law Journal 221, 232.	2012
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RL-011	<i>Christoph H. Schreuer et al., The ICSID Convention</i> , A Commentary (2nd ed., Cambridge University Press)	2009
RL-012	<i>RSM Production Corporation v. Saint Lucia</i> , ICSID Case No. ARB/12/10, Decision on Saint Lucia's Request for Security for Costs	13 August 2014

RL-013	<i>RSM Production Corporation v. Saint Lucia</i> , ICSID Case No. ARB/12/10 (Annulment Proceeding), Decision on Annulment	29 April 2019
RL-014	<i>Eskosol S.p.A. in liquidazione v. Italian Republic</i> , ICSID Case No. ARB/15/50, Procedural Order No. 3, Decision on Respondent's Request for Provisional Measures	12 April 2017
RL-015	K. Brown de Vejar and C. Baldwin, <i>The Economics of Access: Systemic Imbalances in ISDS</i> , Evolution and Adaptation: The Future of International Arbitration (Kalicki and Abdel Raouf (eds))	December 2019
RL-016	L. Bohmer, <i>Counsel funding arbitration is ordered to provide written undertaking that it will pay hypothetical adverse costs award in treaty dispute; request for disclosure is rejected</i> , IARepporter	17 February 2022
RL-017	N. Darwazeh and A. Leleu, <i>Disclosure and Security for Costs or How to Address Imbalances Created by Third-Party Funding</i> , 33(2) Journal of International Arbitration, 125 (Kluwer Law International)	2016
RL-018	G. Born, <i>International Commercial Arbitration</i> , (2nd ed., Kluwer Law International)	2014
RL-019	A. Yesilirmak, <i>Provisional Measures in International Commercial Arbitration</i> , (Kluwer Law International)	2005
RL-020	M. Smith, et al. <i>Mechanics of Third-Party Funding Agreements: A Funder's Perspective</i> , in Lisa Bench Nieuwveld and Victoria Shannon, <i>THIRD-PARTY FUNDING IN INTERNATIONAL ARBITRATION</i> 19 (Kluwer Law International)	2012
RL-021	M. Scherer, A. Goldsmith, and C. Fléchet, <i>Third Party Funding of International Arbitration in Europe: Part 1: Funders' Perspectives</i> , 2 International Business Law Journal 207	2012
RL-022	<i>X. S.A.R.L., Lebanon v. Y. AG, Germany</i> , International Court of Arbitration of the International Chamber of Commerce, Procedural Order No. 3, 28(1) ASA Bulletin 37 (2010)	4 July 2008
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RL-024	P. Pinsolle, <i>Third Party Funding and Security for Costs</i> , 2 Cahiers de l'arbitrage 399	2013
RL-025	A. Redfern and S. O'Leary, <i>Why it is time for international arbitration to embrace security for costs</i> in <i>ARBITRATION INTERNATIONAL</i> (Park (ed.))	September 2016

RL-026	European Parliament, <i>Report with Recommendations to the Commission on Responsible Private Funding of Litigation</i>	25 July 2022
RL-027	E. Jaramillo, Chapter 40: Security for Costs: Authority of the Tribunal and Third-Party Funding, <i>BUILDING INTERNATIONAL INVESTMENT LAW: THE FIRST 50 YEARS OF ICSID</i> (Kinnear, Fischer, Mínguez Almeida, et al. (eds))	December 2015
RL-028	A. Tan and G. Seetoh, <i>Security for Costs in International Arbitration, International Arbitration Asia</i>	9 October 2017
RL-029	<i>Dirk Herzig as Insolvency Administrator over the Assets of Unionmatex Industrieanlagen GmbH v. Turkmenistan</i> , ICSID Case No. ARB/18/35, Decision and Procedural Order No. 5	9 June 2020
RL-030	Proposals for Amendment of the ICSID Rules—Consolidated Draft Rules, Volume 2, ICSID Secretariat	2 August 2018
RL-031	Proposals for the Amendment of the ICSID Rules—Consolidated Rules, Working Paper #2, Volume 2, Proposed Rule 51(3)	15 March 2019
RL-032	Proposals for the Amendment of the ICSID Rules, Working Paper #3, Volume 1, Proposed Rule 52(3)	16 August 2019
RL-033	Proposals for the Amendment of the ICSID Rules, Working Paper #4, Volume 1, Proposed Rule 53(3)	28 February 2020
RL-034	Proposals for the Amendment of the ICSID Rules, Working Paper #5, Volume 1, Proposed Rule 53(3)	15 June 2021
RL-035	Proposals for the Amendment of the ICSID Rules, Working Paper #6, Proposed Rule 53(3)	12 November 2021
RL-036	Rule Amendment Project – Member State & Public Comments on Working Paper # 1	3 August 2018
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RL-037	M. Barnes, <i>The ‘Social License to Operate’: An Emerging Concept in the Practice of International Investment Tribunals</i> , in T. Schultz (ed.), <i>Journal of International Dispute Settlement</i>	2019
RL-038	H. G. Burnett, L. Bret, <i>Environmental and Social Disputes</i> , in <i>Arbitration of International Mining Disputes: Law and Practice</i>	2017
RL-039	<i>Bear Creek Mining Corporation v. Republic of Peru</i> , ICSID Case No. ARB/14/21, Award	30 November 2017
RL-040	<i>Vladislav Kim and others v. Republic of Uzbekistan</i> , ICSID Case No. ARB/13/6, Decision on Jurisdiction	8 March 2017
RL-041	<i>Romak S.A. v. Republic of Uzbekistan</i> , PCA Case No. 2007-07/AA280, Award	26 November 2009

RL-042	<i>Standard Chartered Bank v. United Republic of Tanzania I</i> , ICSID Case No. ARB/10/12, Award	2 November 2012
RL-043	<i>Komaksavia Airport Invest Ltd v. Republic of Moldova</i> , SCC Emergency Arbitration No. EA (2020/130) & SCC Case No. 2020/074, Final Award	3 August 2022
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RL-047	<i>Karkey Karadeniz Elektrik Uretim A.S. v. Islamic Republic of Pakistan</i> , ICSID Case No. ARB/13/1, Award	22 August 2017
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RL-051	<i>Gavrilovic and Gavrilovic d.o.o. v. Republic of Croatia</i> , ICSID Case No. ARB/12/39, Award	26 July 2018
RL-052	<i>Saint-Gobain Performance Plastics Europe v. Bolivarian Republic of Venezuela</i> , ICSID Case No. ARB/12/13, Decision on Liability and the Principles of Quantum	30 December 2016
RL-053	<i>Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt</i> , ICSID Case No. ARB/04/13, Award	6 November 2008
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RL-061	<i>LG&E Energy Corp., LG&E Capital Corp. and LG&E International Inc. v. Argentine Republic</i> , ICSID Case No. ARB/02/1, Decision on Liability	3 October 2006
RL-062	<i>AES Summit Generation Limited and AES-Tisza Erömu Kft. v. Republic of Hungary</i> , ICSID Case No. ARB/07/22, Award	23 September 2010
RL-063	<i>Walter Bau AG (in liquidation) v. The Kingdom of Thailand</i> , UNCITRAL, Award	1 July 2009
RL-064	<i>PSEG Global, Inc., The North American Coal Corporation, and Konya Ingin Elektrik Üretim ve Ticaret Limited Sirketi v. Republic of Turkey</i> , ICSID Case No. ARB/02/5, Award	19 January 2007
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RL-066	<i>South American Silver Limited v. Bolivia</i> , PCA Case No. 2013-15, Award	22 November 2018
RL-067	<i>Methanex Corporation v. United States of America</i> , UNCITRAL, Final Award of the Tribunal on Jurisdiction and Merits	3 August 2005
RL-068	<i>Chemtura Corporation v. Canada</i> , NAFTA/UNCITRAL, Award	2 August 2010
RL-069	<i>Emmanuel Too v. Greater Modesto Insurance Associates and United States of America</i> , IRAN-US Claims Tribunal, Award	29 December 1989
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RL-086	<i>Casinos Austria International GmbH and Casinos Austria Aktiengesellschaft v. Argentine Republic</i> , ICSID Case No. ARB/14/32, Award	5 November 2021
RL-087	<i>Apotex Holdings Inc. and Apotex Inc. v. United States of America</i> , ICSID Case No. ARB(AF)/12/1, Award	25 August 2014
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