

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Almaden Minerals Ltd. and Almadex Minerals Ltd.

v.

United Mexican States

(ICSID Case No. ARB/24/23)

PROCEDURAL ORDER No. 8

Members of the Tribunal

Prof. Luca G. Radicati di Brozolo, President of the Tribunal

Mr. Oscar M. Garibaldi, Arbitrator

Prof. Jorge E. Viñuales, Arbitrator

Secretary of the Tribunal

Ms. Anneliese Fleckenstein

Assistant to the Tribunal

Ms. Lucia Pontremoli

August 26, 2026

Having carefully reviewed the Parties' communications of August 10, 17, 21 and 22, 2026, the Tribunal decides as follows regarding Respondent's requests for (i) a 3-week extension of the deadline for submitting the Rejoinder ("**Request for Extension**") and (ii) production of Exhibit C-930 in native and unredacted format ("**Request for Production**").

1. **Request for Extension**

Respondent asks for a 3-week extension (*i.e.*, until September 17, 2026) for submitting the Rejoinder ("**Extension**"), which, pursuant to the applicable procedural schedule, would be due on August 28, 2026. Claimants oppose the request but agree on a 1-week extension (*i.e.*, until September 4, 2026).

Although the Extension would not affect the Hearing, that has now been postponed to July 2027, the Tribunal considers that:

- (i) the simultaneous procedural and institutional obligations in other cases advanced in support of the Extension were undertaken when the deadline for filing the Rejoinder in this case had already been set, suggesting that the schedule conflicts may be attributable, at least in part, to Respondent's own scheduling decisions;
- (ii) the timing of the Request for Extension (approximately 3 months after Respondent became aware of the increase in its workload in May 2026) does not appear to comply with Section 14.7 of Procedural Order No. 1 ("**PO1**"), pursuant to which requests for extension are to be submitted "*as soon as practicable after [the requesting party] becomes aware of the circumstances which prevent it from complying with the deadline*"; and
- (iii) the Extension would infringe the principle of equal treatment, as it would afford Respondent significantly more time for its Rejoinder than Claimants had for their Reply.

In light of the above, the Tribunal grants the Request for Extension until September 4, 2026, within the limit accepted by Claimants.

2. **Request for Production**

Respondent requests an order that Claimants produce Exhibit C-930 (submitted with the Reply in searchable PDF format and with redactions) in native, unredacted format, on the grounds that, without knowing the document's metadata and the contents of the redacted comments, Respondent cannot verify the document's authenticity, nor locate it in its own records.

Claimants oppose the request, maintaining that, contrary to Respondent's contentions, pursuant to PO1, the Parties are not required to submit documents in native format, but only "*in their original form*", which Claimants did with Exhibit C-930, and that the redactions in the side comments are justified by attorney-client privilege.

In its latest correspondence, and in the Reply (¶ 650), Claimants allege that, in December 2022, Economía shared with Minera de Gorrión a draft of its February 2023 *Oficio* (“**Draft**”) requesting Minera de Gorrión’s comments.

Based on Claimants’ above-mentioned correspondence, the Tribunal understands that Minera de Gorrión shared the Draft with its legal counsel and that Exhibit C-930 is the copy of the Draft that Minera de Gorrión’s legal counsel returned to Minera de Gorrión with their comments.

The Tribunal considers that assessing the authenticity and provenance of the Draft – which is key for the proper preparation of Respondent’s defense – necessarily requires knowing (i) the author(s) of the Draft, (ii) the name(s) of Economía’s official(s) who allegedly transmitted it to Minera de Gorrión, and (iii) the date of transmission.

In the Tribunal’s view, the native, unredacted version of Exhibit C-930 that Respondent requests would not provide the above-mentioned information, since, as indicated above, the Exhibit is a different document from the Draft.

Accordingly, the Tribunal rejects the Request for Production, but orders Claimants to disclose and produce, by August 31, 2026, the following information and documents, to the extent they exist and are in Claimants’ possession, custody or control:

1. the Draft in its native format, with the accompanying e-mail by Economía;
2. the name(s) of the author(s) of the Draft;
3. the name of Economía’s official who transmitted the Draft to Minera de Gorrión; and
4. the date when the Draft was transmitted to Minera de Gorrión.

Sincerely,

[Signed]

Prof. Luca G. Radicati di Brozolo
President of the Tribunal
Date: August 26, 2026