

**INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES**

**PanAfrican Energy Tanzania Limited**

**v.**

**United Republic of Tanzania and Tanzania Petroleum Development Corporation**

**(ICSID Case No. ARB/25/43)**

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**PROCEDURAL ORDER NO. 1**

***Members of the Tribunal***

Ms. Niuscha Bassiri, President of the Tribunal

Mr. Cavinder Bull SC, Arbitrator

Prof. Dr. Mohamed S. Abdel Wahab, Arbitrator

***Secretary of the Tribunal***

Ms. Izabela Chabinska

***Assistant to the President of the Tribunal***

Ms. Emily Hay

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8 June 2026

## **Contents and Agenda for the First Session**

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## **Introduction**

The first session of the Tribunal was held on 7 May 2026<sup>1</sup>, at 8 a.m. EST, by video conference via Zoom. The session was adjourned at 10:45 a.m. EST.

A recording of the session was made and deposited in the archives of ICSID. The recording was distributed to the Members of the Tribunal and the Parties.

Participating in the conference were:

### **Members of the Tribunal:**

Ms. Niuscha Bassiri, President of the Tribunal  
Mr. Cavinder Bull SC, Arbitrator  
Prof. Dr. Mohamed S. Abdel Wahab, Arbitrator

### **ICSID Secretariat:**

Ms. Izabela Chabinska, Secretary of the Tribunal  
Ms. Ekaterina M. Polifron, ICSID Senior Paralegal

### **Assistant to the President:**

Ms. Emily Hay ArbBoutique

### **On behalf of the Claimant:**

|                           |                                             |
|---------------------------|---------------------------------------------|
| Mr. Timothy Foden         | Partner, Boies Schiller Flexner (UK) LLP    |
| Mr. David Hunt            | Partner, Boies Schiller Flexner (UK) LLP    |
| Ms. Veronika Lakhno       | Associate, Boies Schiller Flexner (UK) LLP  |
| Ms. Mehleen Gehler-Rahman | Associate, Boies Schiller Flexner (UK) LLP, |
| Mr. Matthew Rogers        | Solicitor, Boies Schiller Flexner (UK) LLP  |

### **Parties:**

|                   |                                                                                        |
|-------------------|----------------------------------------------------------------------------------------|
| Ms. Lisa Mitchell | Director, PanAfrican Energy Corporation, Chief<br>Financial Officer, Orca Energy Group |
| Mr. Andrew Hanna  | Managing Director, PanAfrican Energy Tanzania<br>Ltd                                   |

### **On behalf of the Respondents:**

|                          |                                                             |
|--------------------------|-------------------------------------------------------------|
| Mr. Saddy Rashid Sevingi | Director of Arbitration, Office of the Solicitor<br>General |
| Mr. Baraka Nyambita      | Senior State Attorney, Office of the Solicitor General      |
| Ms. Lydia Thomas         | State Attorney, Office of the Solicitor General             |

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<sup>1</sup> Based on the Parties' communications of 25, 26 March, 16 and 22 April 2026 the Tribunal notes that the Parties have agreed to extend the 60-day period to hold the first session set out in ICSID Arbitration Rule 29(3).

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Ms. Neisha Shao  
Ms. Susana Joseph  
Dr. Elias Mwashuiya

State Attorney, Office of the Solicitor General  
State Attorney, Office of the Solicitor General  
Director of Legal Services, TPDC

*Parties:*

Mr. Mwema Punzi  
Mr. Felix Nanguka

Principal State Attorney, the Office of the Attorney  
General  
Ag. Development and Production Manager, TPDC

The Tribunal and the Parties considered the following:

- The Draft Procedural Order No. 1 circulated by the Tribunal Secretary on 4 March 2026; and
- The Parties' comments on the Draft Procedural Order received on 22, 29 April, and 1 May 2026, indicating the items on which they agreed and their respective positions regarding the items on which they did not agree.

At the first session, the Parties were invited to confer and inform the Tribunal of their agreements in relation to certain procedural matters addressed during the session. The Parties filed further submissions in this regard on 11, 18, 21, 28, 29 May and 1 June 2026.

Having considered the above documents and the Parties' views, the Tribunal now issues the present Order:

**Order**

Pursuant to ICSID Arbitration Rules 27 and 29, this Procedural Order sets out the Procedural Rules that govern this arbitration. The timetable is attached as **Annex B**.

1. Applicable Arbitration Rules

*Convention Article 44; Arbitration Rule 1*

- 1.1. These proceedings are conducted in accordance with the ICSID Arbitration Rules in force as of 1 July 2022 ("**ICSID Arbitration Rules**").

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2. Constitution of the Tribunal and Tribunal Members' Declarations  
*Arbitration Rule 21*

- 2.1. The Tribunal was constituted on 11 February 2026 in accordance with the ICSID Convention and the ICSID Arbitration Rules. The Parties confirmed that the Tribunal was properly constituted and that no Party has any objection to the appointment of any Member of the Tribunal.
- 2.2. The Members of the Tribunal timely submitted their signed declarations in accordance with ICSID Arbitration Rule 19(3)(b). Copies of these declarations were distributed to the Parties by the ICSID Secretariat following acceptance of each arbitrator's appointment on 23 December 2025 and 11 February 2026.
- 2.3. The Members of the Tribunal confirmed that they have sufficient availability during the next 24 months to dedicate to this case and that they will use best efforts to meet all time limits for orders, decisions and the Award, in accordance with ICSID Arbitration Rule 12(1).
- 2.4. The Parties confirm and acknowledge that each Party's appointment of identical co-arbitrators in ICSID Case No. ARB/25/42 and this proceeding does not give rise to issues of independence and impartiality of the Tribunal Members. The Parties confirm and acknowledge that they will not challenge a Party-appointed arbitrator solely on the basis that the arbitrator has also been appointed in ICSID Case No. ARB/25/42.

3. Fees and Expenses of Tribunal Members  
*Convention Article 60; Administrative and Financial Regulation 14; Schedule of Fees; Memorandum on Fees and Expenses*

- 3.1. The fees and expenses of each Tribunal Member shall be determined and paid in accordance with the ICSID Schedule of Fees and the Memorandum on Fees and Expenses in force at the time the fees and expenses are incurred.

4. Presence and Quorum  
*Arbitration Rule 33*

- 4.1. The participation of all three Members of the Tribunal by any appropriate means of communication is required at the first session and case management conferences.
- 4.2. The participation of all three Members of the Tribunal is required at all hearings and deliberations.

5. Rulings of the Tribunal

*Convention Article 48(1); Arbitration Rules 10, 11(4), 12, 27 and 35*

- 5.1. Decisions of the Tribunal shall be taken by a majority of the Members of the Tribunal.
- 5.2. Orders, decisions and the Award may be made by any appropriate means of communication.
- 5.3. Orders, decisions and the Award may be signed electronically.
- 5.4. The President is authorized to sign procedural orders and decisions on behalf of the Tribunal.
- 5.5. When the matter is urgent, the President may decide procedural matters without consulting the other Members, subject to possible reconsideration of such decision by the full Tribunal.
- 5.6. The Tribunal's orders and decisions shall indicate the reasons upon which they are made. The reasons may be minimal for non-controversial or minor procedural, administrative and organizational matters, e.g., extensions of time.
- 5.7. The Tribunal will use best efforts to issue all rulings, including the Award, within the time limits prescribed by the ICSID Arbitration Rules. If the Tribunal cannot comply with an applicable time limit, it will advise the Parties of the special circumstances justifying the delay and the date when it anticipates rendering the ruling, in accordance with ICSID Arbitration Rule 12(2).
- 5.8. Any ruling of the Tribunal, including the certified copy of the Award, will be dispatched electronically to the Parties. The Tribunal shall upon the request by either Party issue a wet-ink signed original of the ruling, including the Award. The date of the electronically signed ruling shall be deemed the date of the ruling. For the avoidance of doubt, a wet-ink signature need not be executed at any particular geographical location.

6. Power to Fix Time Limits

*Arbitration Rules 10 and 11*

- 6.1. The President may exercise the Tribunal's power to fix and extend time limits for the completion of each procedural step in the proceeding under Arbitration Rules 10(1) and 11(3), in accordance with Arbitration Rules 10(3) and 11(4).

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- 6.2. In exercising the power to fix time limits under Arbitration Rule 10(1), the Tribunal shall consult with the Parties as far as possible. If the matter is urgent, the Tribunal may fix time limits without consulting the Parties, subject to possible reconsideration of such decision by the full Tribunal at the request of either Party.
- 6.3. The Parties shall strictly comply with the time limits set by the Tribunal. For any extension, a reasoned request shall be made promptly after the need for the extension arises and, in any event, before the date of expiration of the time limit, in accordance with Arbitration Rule 11(3).
- 6.4. If one of the Parties fails to observe a time limit or to adhere to the procedural rules as set forth in this Procedural Order or any subsequent Procedural Order or instruction from the Tribunal without giving sufficient reasons for such default or non-compliance, the Tribunal may disregard the factual allegations, denials and offers of evidence submitted in such manner, but is not bound to do so.

7. Secretary of the Tribunal

*Administrative and Financial Regulation 28*

- 7.1. The Tribunal Secretary is Ms. Izabela Chabinska, Legal Counsel, ICSID, or such other person as ICSID may notify the Tribunal and the Parties from time to time.
- 7.2. To send copies of communications by email, mail, and courier/parcel deliveries to the ICSID Secretariat, the contact details are:

Ms. Izabela Chabinska  
ICSID  
MSN C3-300  
1818 H Street, N.W.  
Washington, D.C. 20433  
United States of America  
Tel.: + 1 (202) 458-4374  
Fax: + 1 (202) 522-2615

Email: [REDACTED]  
Paralegal name: Ms. Ekaterina Minina  
Paralegal email: [REDACTED]  
ICSID case address: [REDACTED]

- 7.3. For local messenger deliveries, the contact details are:

Ms. Izabela Chabinska  
ICSID  
1225 Connecticut Ave. N.W.

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(World Bank C Building)  
3<sup>rd</sup> Floor  
Washington, D.C. 20036  
United States of America  
Tel.: +1 (202) 458-1534

8. Assistant to the President

- 8.1. By letter of 4 March 2026 the President explained to the Parties that she considered that it would benefit the overall cost and time efficiency of the proceeding if the President had an assistant. The President proposed, with the approval of the other Members of the Tribunal, that Ms. Emily Hay of ArbBoutique be appointed as assistant to the President. Ms. Hay's *curriculum vitae* was distributed to the Parties.
- 8.2. The President further explained that the assistant would (i) not duplicate the tasks of the ICSID Secretary and would undertake only such specific tasks as are assigned to her by the President, which may include the marshaling of evidence, preparation of summaries and/or memoranda, research of specific issues of law, the organization of the case documents, assisting the Tribunal in the preparation and communication of its decisions to the Parties on issues of procedure and substance, including by preparing the drafts, cite-checking and proof-reading of procedural orders and decisions, and providing assistance during Tribunal deliberations; and (ii) be subject to the same confidentiality obligations as the Members of the Tribunal and sign a declaration to that effect. Under no circumstances would the Tribunal delegate any decision-making functions to the assistant. The assistant would work at all times under the specific instructions and continuous control and supervision of the President.
- 8.3. The Parties consented to the appointment of Ms. Hay as assistant to the President on the terms set out in this §8 and in ICSID's letter of 4 March 2026 by communications of 9 March 2026.
- 8.4. A copy of Ms. Hay's signed declaration was distributed to the Parties by the ICSID Secretariat on 11 March 2026.
- 8.5. The Parties also agreed that the assistant would be remunerated: USD 200.00 for each hour of work performed in connection with the case and expenses reimbursed as described in the Secretariat's letter dated 4 March 2026.

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9. Representation of the Parties  
*Arbitration Rule 2*

- 9.1. Each Party shall be represented by its counsel (below) and may designate additional agents, counsel, or advocates by notifying the Tribunal and the Tribunal Secretary promptly of such designation. The Tribunal may refuse designation of additional agents, counsel or advocates if the designation would create a conflict of interest with one or more Members of the Tribunal that has not been, or cannot be, waived. In determining the existence of such a conflict of interest, the Tribunal may rely on the IBA Guidelines on Conflicts of Interest in International Arbitration (2024) for guidance, in particular the Non-Waivable Red List.

For the Claimant

Mr. Timothy L. Foden  
Mr. David Hunt  
Mr. Tim Smyth  
Ms. Veronika Lakhno  
Ms. Mehleen Gehler-Rahman  
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and

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For Tanzania Petroleum Development  
Corporation

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[lazaro.twange@tanESCO.co.tz](mailto:lazaro.twange@tanESCO.co.tz)

10. Apportionment of Costs and Advance Payments to ICSID – Division of Advances  
*Convention Article 61(2); Administrative and Financial Regulation 15; Arbitration  
Rule 50*

- 10.1. Each side shall make advance payments to cover the direct costs of the proceeding in equal parts, without prejudice to the final decision of the Tribunal as to the allocation of costs.
- 10.2. Following registration of the Request for Arbitration, by letter of 4 September 2025, ICSID informed the Parties that USD 200,000 will be necessary to cover the estimated costs of the initial phase of the proceeding through the first session of the Tribunal, as well as the subsequent phase, and requested that the Claimant pay USD 100,000. ICSID received the Claimant's payment on 10 September 2025. Upon the constitution of the Tribunal, by letter of 20 February 2026, ICSID requested that the Respondents pay USD 100,000. ICSID received the Respondents' payment in two tranches, one received on 20 March 2026, and one received on 13 May 2026.
- 10.3. ICSID shall request further advances as needed. Such requests shall be accompanied by a detailed interim statement of account.

11. Place of Proceeding and Hearings  
*Convention Articles 62 and 63; Arbitration Rule 32*

- 11.1. In accordance with Articles 62 and 63 of the ICSID Convention together with Clause 15.4(c) of the Gas Agreement and Clause 27.4(c) of the Production Sharing

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Agreement, the Parties agree that the arbitration proceeding shall be held in London, as approved by the Tribunal after consultation with the ICSID Secretary-General. In this regard, the relevant part of 15.4(c) of the Gas Agreement and Clause 27.4(c) of the Production Sharing Agreement provides:

“Any affected Party may require the arbitration to be conducted outside Tanzania, in which event the arbitration shall be conducted in London, England and the Party requiring arbitration outside Tanzania shall pay the travel and related costs of all Parties.”

- 11.2. In its Requests for Arbitration under the GA and PSA, respectively,<sup>2</sup> the Claimant invokes the above provision as an “affected party” and requests that the arbitration be conducted outside of Tanzania, in London, England. The Respondents agree, subject to the requirement that the Claimant “shall pay the travel and related costs of all Parties” in respect of such circumstances. The Parties disagree on the financial arrangements regarding the “travel and related costs of all Parties” referred to above. The Tribunal defers that issue for determination by separate procedural order.
  - 11.3. The Parties agree that the conduct of the hearing in London relates to the location of the hearing only. As an arbitration under the ICSID Convention, there is no legal seat with supervisory jurisdiction over the arbitration.
  - 11.4. The Tribunal may hold in-person hearings at any other place that it considers appropriate after consultation with the Parties. The method of holding a hearing will be determined in accordance with §22.2.
  - 11.5. The Tribunal Members may deliberate at any place and by any appropriate means they consider convenient.
12. Procedural Language, Translation and Interpretation  
*Administrative and Financial Regulation 32; Arbitration Rule 7*
- 12.1. English is the procedural language of the arbitration.
  - 12.2. The Tribunal and the Secretariat shall communicate with the Parties in the English language.
  - 12.3. Documents filed in any other language must be accompanied by a translation into English.

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<sup>2</sup> Requests for Arbitration, ¶ 130.

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- 12.4. It is sufficient to translate only the relevant part of a supporting document, unless the Tribunal orders a Party to provide a fuller or a complete translation. The partial translation must provide sufficient context.
  - 12.5. Translations need not be certified, unless the translation is disputed and the Tribunal orders a Party to provide a certified translation.
  - 12.6. Documents exchanged between the Parties in a language other than English under §16 below (Production of Documents) need not be translated.
  - 12.7. The Parties will notify the Tribunal which witnesses or experts require interpretation, no later than when notifying which witnesses and experts are called for examination at the hearing (see **Annex B** – Schedule below) and as soon as possible.
  - 12.8. The testimony of a witness called for examination during the hearing required to give evidence in a language other than in English shall be interpreted, simultaneously if possible.
  - 12.9. The costs of interpretation will be paid from the advance payments made by the Parties, without prejudice to the decision of the Tribunal as to which Party shall ultimately bear those costs.
13. Routing of Communications  
*Arbitration Rule 6*
- 13.1. Written communications in the case shall be transmitted by email or other electronic means to the Parties, the Tribunal Secretary, the Assistant and the Tribunal.
  - 13.2. Electronic versions of communications to be filed simultaneously (by order of the Tribunal or agreement of the Parties) shall be transmitted to the Tribunal Secretary only, who shall send them to the opposing Party, the Tribunal and the Assistant, once ICSID has received both Parties' communications.
  - 13.3. The Tribunal Secretary shall not be copied on communications between the Parties when such communications are not intended to be transmitted to the Tribunal.
  - 13.4. The Parties and their representatives shall not engage in any oral or written communications with any Member of the Tribunal, or the Assistant, *ex parte* about this arbitration.
  - 13.5. The email addresses of the Members of the Tribunal are:

Ms. Niuscha Bassiri

Email:

[REDACTED]

Mr. Cavinder Bull SC

Email:

[REDACTED]

Prof. Dr. Wahab

Email:

[REDACTED]

13.6. The email address for the Assistant to the Tribunal is:

Ms. Emily Hay

Email:

[REDACTED]

14. Number of Copies and Method of Filing of Parties' Pleadings  
*Arbitration Rules 4, 5 and 9*

14.1. By the relevant filing date, the Parties shall:

14.1.1. submit by email to the Tribunal Secretary and the opposing Party an electronic version of the pleading with witness statements, expert reports and an index of all supporting documentation ("**Electronic Email Filing**");<sup>3</sup> and

14.1.2. no later than three (3) business days after the Electronic Email Filing, upload the pleading with all the supporting documentation and updated index to the file sharing platform that has been created by ICSID for purposes of this case ("**Electronic Platform Filing**").<sup>4</sup>

14.2. Electronic files of pleadings, witness statements, expert reports, exhibits and legal authorities shall be text searchable (i.e., OCR PDF or Word). File names shall not exceed 25 characters in length, including spaces. A Party shall be required, on written request by the other Party, to provide the native version (if available) of any exhibit filed in the arbitration.

14.3. All pleadings shall contain consecutively numbered paragraphs and shall be accompanied by a cumulative index of all the supporting documentation that the Party has submitted up to the date of the pleading. The index shall indicate the document number and the pleading with which it was submitted, and shall follow the naming conventions contained in **Annex A**.

14.4. At the conclusion of the written phase of the proceeding, on a date to be determined by the Tribunal, or at any other time the Tribunal or the Secretariat so requests, the Parties shall upload to the file sharing platform, in a format that can be readily

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<sup>3</sup> Please note that the World Bank server does not accept emails larger than 25 MB.

<sup>4</sup> Supporting documentation shall be uploaded as individual files, not in .zip format.

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downloaded, an electronic copy of the entire case file (including pleadings, witness statements, expert reports, exhibits, legal authorities and Tribunal decisions and orders to date) with a consolidated hyperlinked index of all documents.<sup>5</sup>

- 14.5. The official date of receipt of a pleading or written communication shall be the day on which the electronic file is sent to the Tribunal Secretary by email.
- 14.6. A filing shall be deemed timely if sent by a Party by midnight, Washington, D.C. time, on the relevant date. If a filing falls on a Saturday or Sunday or a public holiday in any of the United States, the United Kingdom, or the United Republic of Tanzania, the relevant date is the subsequent business day.
- 14.7. Extensions of time for the submission of pleadings may be agreed between the Parties or granted by the Tribunal for justifiable reasons. A request for an extension must be submitted as soon as practicable after a Party becomes aware of the circumstances which prevent it from complying with the deadline and, in any event, before the expiry of that deadline. Requests for extensions of time shall not, in principle, affect the dates fixed for any hearing. In the event that such a request would affect a hearing date, it will be granted in strictly exceptional circumstances only and upon a reasoned application by the requesting Party.

15. Number and Sequence of Pleadings – Procedural Calendar  
*Arbitration Rule 30*

- 15.1. The proceedings shall consist of a written phase followed by an oral phase.
- 15.2. The arbitration shall proceed in accordance with the Schedule set out in **Annex B**, except if the Tribunal, upon a showing of good cause by either Party, or by mutual agreement of the Parties, amends the Schedule.
- 15.3. In the event that the Respondents file a Request for Bifurcation, the Tribunal shall set a briefing schedule to address and decide upon such Request. Pending determination of any Request for Bifurcation, all other deadlines in the procedural timetable shall remain in effect unless otherwise directed by the Tribunal. Should the Tribunal grant the Request for Bifurcation, it shall issue further directions in respect of the procedural timetable.
- 15.4. Any written submission shall be submitted in accordance with ICSID Arbitration Rule 30 and the provisions set forth in this Procedural Order.

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<sup>5</sup> To ensure the full operation of the hyperlinked index, the entire folder shall be housed within one folder and then uploaded to Box as a single .zip file. Should the size of the .zip file make the upload to Box impossible, the Parties shall upload the organized folder to a designated sub-folder on to the Box files sharing platform, in a sub-folder and including a consolidated (non-hyperlinked) index.

- 15.5. In the first exchange of submissions on a given matter (in principle Memorial and Counter-Memorial), the Parties shall set forth all the facts and legal arguments and submit all the documentary and written witness and expert evidence on which they intend to rely in support of their respective cases. Allegations of fact and legal arguments shall be presented in a detailed, specified, and comprehensive manner.
  - 15.6. In their second exchange of submissions (in principle Reply and Rejoinder) the Parties shall limit themselves to responding to factual allegations, legal arguments, and evidence put forward by the other Party in its preceding submission, subject to facts and documents resulting from the document production phase or new facts arising after the filing of the Party's last submission.
  - 15.7. Following each factual allegation, the Parties shall, whenever possible, identify the evidence adduced or to be adduced in support of that allegation. Following each legal argument, the Parties shall, whenever possible, identify the legal authority adduced or to be adduced in support of that argument.
16. Production of Documents  
*Convention Article 43(a); Arbitration Rules 5 and 36-40*
- 16.1. Each request for production of documents shall be governed by ICSID Arbitration Rule 37. In addition to the relevant circumstances mentioned in ICSID Arbitration Rule 37, the Tribunal shall be guided, but not bound, by Articles 3 and 9 of the International Bar Association Rules on the Taking of Evidence in International Arbitration 2020 ("**IBA Rules**").
  - 16.2. Each Party may submit a Request to Produce Documents, subject to appropriate restraint, on or before the date mentioned in the relevant item of the Procedural Timetable in **Annex B**. A Request to Produce Documents shall identify documents, or specific categories of documents, in the requested Party's possession, custody or control which are not in the requesting Party's own possession, custody or control, and which are relevant and material to the claims and defences in this arbitration. Such a Request to Produce Documents shall not be copied to the Tribunal.
  - 16.3. Each Party may object to one or more requests in the other Party's Request to Produce Documents, on the basis of the objections set forth in Article 9(2) of the IBA Rules, on or before the date mentioned in the relevant item of the Procedural Timetable. Such objections shall be submitted to the requesting Party only.
  - 16.4. To the extent not objected to by the Parties, each Party shall produce the documents as requested by the other Party on or before the date mentioned in the relevant item of the Procedural Timetable.

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- 16.5. For any document requests subject to an objection described above, the Parties may reply to the objections and apply to the Tribunal for the production of such documents on or before the date mentioned in the relevant item of the Procedural Timetable. Prior to submitting any application to the Tribunal, the Parties shall seek agreement on the document production requests to the greatest extent possible and shall meet and confer to that end. In that regard, a Party objecting to a request on grounds of overbreadth or excessive burden should indicate whether there is a narrower formulation with which it would be willing to comply. In reply, the requesting Party should likewise indicate, in addition to any comments on the other Party's objection to its original formulation, whether there is a narrower formulation that it would be willing to accept.
- 16.6. The Tribunal shall decide on the objections on or before the date mentioned in the relevant item of the Timetable. In deciding on the requests the Tribunal will, at its discretion, have regard to the requirements of §16.9, the legitimate interests of the Parties and all the relevant circumstances, including applicable privileges and if appropriate the burden of proof.
- 16.7. The request, objection, reply and decision shall be in the form set out in **Annex C** to this Procedural Order No. 1. The Parties are encouraged to use one page per request, objection and reply, with the Tribunal using the second page for its decision.
- 16.8. If and to the extent that the Tribunal rejects the objection, each Party shall produce the documents to the other Party on or before the date mentioned in the relevant item of the Procedural Timetable.
- 16.9. For the avoidance of doubt, the following additional and clarifying principles shall apply to document requests:
- 16.9.1. requests should observe the requirements of efficiency, and Parties should proceed only with necessary requests by exercising diligence and reasonableness to avoid turning their document schedules into voluminous submissions;
  - 16.9.2. requests should be limited to those which are *relevant* to the issues in dispute and *material* to the outcome of the claims made by either Party;
  - 16.9.3. requests should be *specific and particularized* by referring to a specific time frame/duration, events and/or persons/entities, and should avoid generic and overly broad wording and scope;
  - 16.9.4. requests should refer to the specific paragraph(s) in the relevant submissions to support the relevance and materiality of the requests made;

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- 16.9.5. a Party alleging confidentiality or privilege as a ground for not producing requested documents must set out the basis for its allegation in a particularized way in a privilege log or redactions log (as the case may be) to be submitted to the other Party; and
  - 16.9.6. if a request does not meet the requirements of this §16.9, in particular if it is insufficiently specific, the Tribunal will in principle not narrow down the scope of the request on its own initiative.
  - 16.10. The Parties shall make no submissions in respect of the steps set out in §§16.2, 16.3 and 16.5 above other than those incorporated in their schedules in the format of **Annex C**.
  - 16.11. Documents produced pursuant to a Request to Produce Documents shall be exchanged *inter partes* and shall only form part of the record if and when they are submitted with the Parties' respective submissions, or as ordered by the Tribunal.
  - 16.12. In addition, the Tribunal may order a Party to produce documents on its own initiative at any time. In that case, the documents shall be submitted to the other Party and to the Tribunal and shall be considered to be on record.
  - 16.13. If a Party fails to produce documents ordered by the Tribunal, upon a reasoned request by a Party as to which fact exactly was to be proven or disputed, the Tribunal may draw an inference that the non-produced document or documents is/are adverse to the position of that Party, in light of all circumstances and taking into account the reasons advanced by a Party to explain its inability to produce any given document.
17. Submission of Documents  
*Convention Article 44; Arbitration Rule 5*
- 17.1. The Memorial and Counter-Memorial shall be accompanied by the documentary evidence relied upon by the Parties, including exhibits and legal authorities. Further documentary evidence relied upon by the Parties in rebuttal shall be submitted with the Reply and Rejoinder.
  - 17.2. The Parties may, without seeking leave from the Tribunal or the agreement of the other Parties, rely on documents from ICSID Case No. ARB/25/42 as documentary evidence in this proceeding. Such documents include, without limitation, witness statements, expert reports, exhibits and written submissions.
    - 17.2.1. Any such documents shall be submitted with the relevant written submission in accordance with §17.1.

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- 17.2.2. Neither Party may object to the use of those documents solely because they originate from ICSID Case No. ARB/25/42. This does not affect either Party's right to object on other grounds, including, but not limited to, admissibility, relevance, privilege or commercial sensitivity.
- 17.3. The documents shall be submitted in the manner and form set forth in §14, above.
- 17.4. Neither Party shall be permitted to submit additional or responsive documents after the filing of its respective last written submission, unless the Tribunal determines that special circumstances exist based on a timely and reasoned written application followed by observations from the other Party.
- 17.4.1. Should a Party request leave to file additional or responsive documents, that Party may not annex the documents that it seeks to file to its request.
- 17.4.2. If the Tribunal grants such an application for submission of an additional or responsive document, the Tribunal shall ensure that the other Party is afforded sufficient opportunity to make its observations concerning such document.
- 17.5. The Tribunal may call upon the Parties to produce documents or other evidence in accordance with ICSID Arbitration Rule 36(3).
- 17.6. Documents shall be submitted in the following form:
- 17.6.1. The number of each Exhibit containing a document produced by Claimant shall be preceded by the letter "C-" for factual exhibits and "CL-" for legal exhibits containing authorities etc. The number for each Exhibit containing a document produced by Respondents shall be preceded by the letter "R-" for factual exhibits and "RL-" for legal exhibits containing authorities etc.
- 17.6.2. Exhibits and legal authorities shall be numbered consecutively throughout these proceedings, commencing with "C-0001" and "R-0001," and "CL-001" and "RL-001" respectively. The number of the exhibit or legal authority shall appear on the first page of the document, and shall be incorporated into the file name in accordance with §17.6.4.
- 17.6.3. A Party may produce several documents relating to the same subject matter within one Exhibit, numbering each page of such Exhibit separately and consecutively.
- 17.6.4. Electronic files and the accompanying indices shall follow the naming conventions contained in **Annex A**.

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- 17.7. Copies of documentary evidence shall be assumed to be authentic unless specifically objected to by a Party, in which case the Tribunal will determine whether authentication is necessary.
  - 17.8. The Parties shall file all documents only once by submitting them with their pleadings. Documents need not be resubmitted with witness statements even if referred to in such statements.
  - 17.9. The Parties may use PowerPoint slides and demonstrative exhibits (such as charts, tabulations, etc. compiling information which is on record but not presented in such form), provided that they (i) identify the source in the record from which the information is derived, (ii) do not contain information not in the record.
  - 17.10. An electronic copy of each demonstrative exhibit, other than PowerPoint slides, shall be distributed by the Party intending to use it via an electronic mail sent to the entire case email distribution for each Party, the Members of the Tribunals, the Tribunal Secretary, the Assistant, to the court reporter and to the interpreters as necessary by a deadline to be decided at the Pre-Hearing Organizational Meeting.
  - 17.11. In addition, promptly after the conclusion of the hearing day on which the corresponding demonstrative exhibit is used, the Parties shall upload such demonstrative to the case folder in the BOX files sharing platform, designating each with the corresponding CD-\_\_ or RD-\_\_ number.
18. Witness Statements and Expert Reports  
*Convention Article 43(a); Arbitration Rule 38*
- 18.1. Witness statements and expert reports shall be filed together with the Parties' pleadings.
  - 18.2. Neither Party shall be permitted to submit any testimony that has not been filed with the written submissions, unless the Tribunal determines that special circumstances exist based on a reasoned written request followed by observations from the other Party (following the procedure outlined in §17.4).
  - 18.3. Each witness statement shall be signed and dated by the witness and include all the information contemplated in Article 4(5) of the IBA Rules.
  - 18.4. Each expert report shall be signed and dated by all expert(s) who authored it and shall:
    - 18.4.1. be accompanied by any documents or information upon which the report relies unless such documents or information have already been submitted

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as exhibits with the Parties' submissions, in which case reference to such exhibits shall be sufficient; and

18.4.2. be accompanied by a statement of independence and disclose any relationship with Members of the Tribunal or the Parties and such other information contemplated in Article 5(2) of the IBA Rules.

18.5. Drafts, working papers or any other documents (except the expert report submitted along with the pleadings) created by an expert for the purpose of providing expert evidence in the arbitration, and any communications between the expert and a Party or its counsel for that purpose, shall be privileged and shall not be subject to production in the arbitration.

19. Examination of Witnesses and Experts  
*Arbitration Rule 38*

19.1. On the date indicated in **Annex B**, each Party shall submit to the opposing Party, the Tribunal, the Assistant and the Tribunal Secretary a request to call at the hearing for examination and cross-examination any witness or expert presented by the other Party whose written testimony has been submitted with the pleadings. Shortly after the Parties' notifications, the Tribunal will indicate any witnesses or experts not called by the Parties whom it wishes to question.

19.2. A witness and expert called to testify shall in principle appear at the hearing in person. Examination by video conference may be permitted by the Tribunal in exceptional circumstances at the Tribunal's discretion. The Parties shall ensure that the witness or expert testifies under the same conditions as he or she would in a physical hearing room, i.e., without conferring with anyone else during the testimony and having access to the relevant direct and cross bundles (if any) from the start of his or her direct and/or cross-examination.

19.3. The Tribunal may disregard the testimony of a witness or expert called to testify at the hearing who fails to appear at the hearing without justified reasons.

19.4. If a Party waives cross-examination of a factual or expert witness, the witness's statement shall stand as the witness's direct examination, and the factual or expert witness need not be called by the Party that offered the witness, unless instructed otherwise by the Tribunal. Waiver of cross-examination of a factual or expert witness does not imply the witness' statement is conceded, and the Party waiving cross-examination may still challenge the witness' statement in its oral and written submissions.

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- 19.5. Each Party shall be responsible for the practical arrangements, cost and availability of its own witnesses and experts. The Tribunal will decide upon the appropriate allocation of such costs in its Award.
- 19.6. Witnesses and experts shall be examined by each Party under the control of the Tribunal. The Tribunal may examine the witness or expert at any time during the oral procedure.
- 19.7. The witness or expert shall make a declaration before giving evidence in the terms contemplated by ICSID Arbitration Rule 38(6) (for fact witnesses) or ICSID Arbitration Rule 38(8) (for experts).
- 19.8. The direct evidence of a witness is given in the form of witness statements and expert reports. However, the Party presenting the witness may conduct a brief direct examination—of a length to be agreed at the pre-hearing conference—at the hearing for the purposes of asking introductory questions, including to confirm the accuracy and completeness of that witness’s written testimony, to offer any background or clarifications that may be necessary to prevent a potentially avoidable misunderstanding of that witness’s written testimony and to summarize briefly the information set out in the witness statement(s). The direct examination may not be used to introduce new evidence, save with respect to supervening facts or matters that have arisen subsequent to the witness’ last written statement.
- 19.9. Experts may summarize their reports and findings, either through direct examination or in the form of a brief presentation of a length to be agreed at the pre-hearing conference. Such presentation shall be limited to the scope of the expert report(s), save with respect to supervening facts or matters subsequent to the expert’s last report.
- 19.10. As a general rule, cross-examination shall be limited to matters within the scope of the respective witness’ knowledge (or expertise, for expert witnesses), but shall not be constrained to matters contained in the witness or experts’ written testimony.
- 19.11. Re-direct examination shall, as a general rule, be limited to any issues arising out of the cross-examination. Both the scope of cross-examination and re-direct examination shall be subject to the Tribunal’s control set out in §19.6.
- 19.12. A protocol to address the potential sequestration of fact and/or expert witnesses, including the rules applicable to fact witnesses who are Party representatives, shall be determined by the Tribunal following consultation with the Parties at a later stage.

20. Pre-Hearing Organizational Meetings

*Arbitration Rule 31*

- 20.1. A pre-hearing organizational meeting shall be held on a date determined by the Tribunal after consultation with the Parties. It shall comprise a teleconference or video conference between the Tribunal, or its President, and the Parties and should address any outstanding procedural, administrative, and logistical matters (including modality of interpretation and transcription) in preparation for the hearing.
- 20.2. At a date to be determined by the Tribunal, and in any event no later than the date of the pre-hearing conference, the Parties shall submit to the Tribunal jointly – or, where they are unable to agree, separately – a proposal regarding a daily schedule for the hearing.

21. Case Management Conferences

*Arbitration Rule 31*

- 21.1. In addition to the pre-hearing organizational meeting referred to in §20.1 above, the Tribunal shall convene case management conferences with the Parties in accordance with ICSID Arbitration Rule 31. The Parties agree that the holding of any case management conferences may be determined at the Tribunal's discretion, taking into account the Parties' requests and the circumstances of the proceedings at the appropriate stage.
- 21.2. For the purposes of ICSID Arbitration Rule 31, the Tribunal is at liberty to put clarificatory questions to the Parties at any time during the proceedings. The Tribunal shall ensure that the Parties are afforded sufficient opportunity to make their observations concerning such questions.

22. Hearings

*Arbitration Rule 32*

- 22.1. The oral procedure shall consist of a hearing for examination of witnesses and experts, if any, and for oral arguments.
- 22.2. The hearing may be held in-person or by any other means of communication as determined by the Tribunal after consultation with the Parties. An in-person hearing shall be held at a place to be determined in accordance with §11 above.

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- 22.3. Having due regard to the views of the Parties and the specific circumstances of the case, including any relevant travel or public health/security restrictions, the Tribunal may decide to hold a hearing remotely or in a hybrid form.
  - 22.4. The hearing shall take place over five days with two reserve days, on the dates indicated in **Annex B**, which shall not be earlier than four weeks after the filing of the last written submission.
  - 22.5. The Members of the Tribunal shall reserve at least one day after the hearing to determine the next steps and to hold deliberations.
  - 22.6. Allocation of time and other procedural issues related to the hearing will be discussed by the Parties and the Tribunal during the Pre-Hearing Organizational Meeting.
23. Recordings of Hearings and Sessions  
*Arbitration Rule 29(4)(i)*
- 23.1. Recordings shall be made of all hearings and sessions. The recordings shall be provided to the Parties and the Tribunal Members.
  - 23.2. Verbatim transcripts in the procedural language shall be made of any hearing and session other than sessions on procedural issues. Unless otherwise agreed by the Parties or ordered by the Tribunal, the verbatim transcripts shall, if possible, be available in real-time and electronic transcripts shall be provided to the Parties and the Tribunal on a same-day basis.
  - 23.3. After consultation with the Parties at the relevant hearing or session, the Tribunal shall determine the deadline for the Parties to agree on any corrections to the transcripts. The agreed corrections may be entered by the court reporter in the transcripts (“revised transcripts”). The Tribunal shall decide upon any disagreement between the Parties and any correction adopted by the Tribunal shall be entered by the court reporter in the revised transcripts.
24. Post-Hearing Memorials and Statements of Costs  
*Convention Article 44; Arbitration Rules 51*
- 24.1. In consultation with the Parties, the Tribunal will determine at the end of the hearing whether there shall be Post-Hearing Memorials. If so, the Tribunal will address the time limits for preparing, and the length, format, and content of the Post-Hearing Memorials. No new evidence may be produced together with the Post-Hearing Memorials, except with leave from the Tribunal.

24.2. The Tribunal will issue directions on the Parties' statements of costs at the end of the hearing.

25. Transparency Matters

*Convention Article 48(5), Arbitration Rules 62-66*

25.1. The Parties agree that ICSID Arbitration Rules 62–65 shall apply to this proceeding.

26. Data Privacy and Cybersecurity

26.1. The Members of the Tribunal, the Parties and their representatives acknowledge that the processing of their personal data is necessary for the purposes of this arbitration proceeding. They acknowledge having read ICSID's "[Personal Data Privacy Notice – Proceedings](#)" ("Notice").

26.2. The Members of the Tribunal, the Parties and their representatives agree to comply with the data protection and privacy regulations that are applicable to each of them. Where it is necessary to do so under the applicable regulations, the Parties or Counsel shall provide appropriate notice to data subjects whose personal data will be processed in the arbitration proceeding, where necessary, including witnesses and experts. Should compliance with applicable law require action from another participant in the arbitration proceeding, the Parties are invited to bring that to the attention of that other participant and/or to apply to the Tribunal for specific data protection measures to be put in place.

26.3. The Parties and their representatives shall ensure that the storage and exchange of the personal data processed in this arbitration is protected by way of appropriate technical and organizational safeguards.

27. Amicable Dispute Settlement

27.1. The Tribunal notes that the Parties may seek to reach an amicable settlement of all or part of the dispute, including through mediation under the ICSID Mediation Rules, at any time in the proceeding. If the Parties settle the dispute in full, they may request that the Tribunal embody their settlement in its Award, pursuant to ICSID Arbitration Rule 55(2). Any agreement pursuant to ICSID Arbitration Rule 54(1), made in order to pursue amicable settlement discussions, should be communicated to the Tribunal.

28. Disability Measures

28.1. At any point during the proceedings, but ideally as soon as practicable, either Party may advise the Tribunal of a person who, by reason of disability, requires reasonable accommodation to facilitate their full participation in the arbitration, including in oral hearings. In considering such requests, the Tribunal will take into account the privacy rights of such persons against the unnecessary disclosure of their disability. For the purposes of this provision, disability means any physical or mental health condition that, without reasonable accommodation, would significantly impair a person's ability to participate in the work related to an arbitration.

29. Artificial Intelligence

29.1. The Tribunal shall not use Artificial Intelligence in drafting the reasoning part of its rulings including the Award.

29.2. A Party intending to use Artificial Intelligence tools shall:

29.2.1. Ensure that its representatives and experts agree to comply, at all times, with any laws, ethical rules or professional standards applicable to the use of AI tools in the context of arbitration.

29.2.2. Use reasonable efforts to independently verify the sources and accuracy of any output of any AI tool used in the course of the arbitration from a factual and legal standpoint and correct any inaccuracies before submitting the relevant document or other evidence in the proceedings and at all times during the proceedings in case such inaccuracies are found after submission of an affected document or evidence.

29.2.3. Refrain from using any AI tool to produce output which may mislead the Tribunal and/or the other Parties, including but not limited to any fabrication or falsification of any evidence, or obtainment of inaccurate output as a result of the use of prompts aimed at obtaining a desired outcome.

29.2.4. Preserve confidentiality of any confidential information or data inputted to the chosen AI tool, including by redacting or anonymizing inputted materials where required or appropriate.

30. Other Matters

- 30.1. The Parties confirm that, at this time, there is no agreement in relation to the coordination of ICSID Case No. ARB/25/43 and ICSID Case No. ARB/25/42.

On behalf of the Tribunal,

[signed]

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Ms. Niuscha Bassiri  
President of the Tribunal  
Date: 8 June 2026

## Annex A – Electronic File Naming Guidelines

Please follow these guidelines when naming electronic files and for the accompanying Consolidated Hyperlinked Index. The examples provided (in *italics*) are for demonstration purposes only and should be adapted to the relevant phase of the case. File names shall not exceed 25 characters in length, including spaces.

All pleadings and accompanying documentation shall indicate the LANGUAGE in which they are submitted (e.g. SPA=Spanish; FR=French; ENG= English). Such indication should be reflected both i) in the name used to identify each individual electronic file and ii) in the Consolidated Hyperlinked Index (which shall be attached to each submission).

For cases with a single procedural language, the “LANGUAGE” designation may be omitted, except for documents in a language other than the procedural language and the corresponding translations.

| SUBMISSION TYPE                          | ELECTRONIC FILE NAMING GUIDELINES                                                 |
|------------------------------------------|-----------------------------------------------------------------------------------|
| MAIN PLEADINGS                           | <b>Title of Pleading–LANGUAGE</b>                                                 |
|                                          | <i>Memorial on Jurisdiction-FR</i>                                                |
|                                          | <i>Counter-Memorial on the Merits and Memorial on Jurisdiction-SPA</i>            |
|                                          | <i>Reply on Annulment-FR</i>                                                      |
|                                          | <i>Rejoinder on Quantum-ENG</i>                                                   |
| SUPPORTING DOCUMENTATION<br><br>Exhibits | <b>C-####–LANGUAGE</b>                                                            |
|                                          | <b>R-####–LANGUAGE</b>                                                            |
|                                          | To be produced sequentially throughout the case.                                  |
|                                          | <b>CLAIMANT’S FACTUAL EXHIBITS</b>                                                |
|                                          | <i>C-0001-ENG</i>                                                                 |
|                                          | <i>C-0002-SPA</i>                                                                 |
|                                          | <b>RESPONDENT’S FACTUAL EXHIBITS</b>                                              |
|                                          | <i>R-0001-FR</i>                                                                  |
|                                          | <i>R-0002-SPA</i>                                                                 |
|                                          |                                                                                   |
| Legal Authorities                        | <b>CL-####–LANGUAGE</b>                                                           |
|                                          | <b>RL-####–LANGUAGE</b>                                                           |
|                                          | To be produced sequentially throughout the case.                                  |
|                                          | <b>CLAIMANT’S LEGAL AUTHORITIES</b>                                               |
|                                          | <i>CL-0001-ENG</i>                                                                |
|                                          | <i>CL-0002-FR</i>                                                                 |
|                                          | <b>RESPONDENTS’ LEGAL AUTHORITIES</b>                                             |
|                                          | <i>RL-0001-SPA</i>                                                                |
|                                          | <i>RL-0002-ENG</i>                                                                |
| Witness Statements                       | <b>Witness Statement–Name of Witness–Name of Submission–LANGUAGE</b>              |
|                                          | <i>Witness Statement-Maria Jones-Memorial on Jurisdiction-SPA</i>                 |
|                                          | <i>Witness Statement-Maria Jones-Reply on Jurisdiction-[Second Statement]-ENG</i> |
| Expert Reports                           | <b>Expert Report–Name of Expert–Type–Name of Submission–LANGUAGE</b>              |
|                                          | <i>Expert Report-Lucia Smith-Valuation-Memorial on Quantum-ENG</i>                |
|                                          | <i>Expert Report-Lucia Smith-Valuation-Reply on Quantum-[Second Report]-ENG</i>   |
| Legal Opinions                           | <b>Legal Opinion–Name of Expert–Name of Submission–LANGUAGE</b>                   |
|                                          | <i>Legal Opinion-Tom Kaine-Counter-Memorial on the Merits-FR</i>                  |
|                                          | <i>Legal Opinion-Tom Kaine-Rejoinder on the Merits-[Second Opinion]-FR</i>        |

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Procedural Order No. 1 – Annex A

|                                                                         |                                                                       |
|-------------------------------------------------------------------------|-----------------------------------------------------------------------|
| Exhibits to<br>Witness Statements,<br>Expert Reports,<br>Legal Opinions | <b>WITNESS/EXPERT INITIALS-###</b>                                    |
|                                                                         | <i>For exhibits filed with the Witness Statement of [Maria Jones]</i> |
|                                                                         | <i>MJ-0001</i>                                                        |
|                                                                         | <i>MJ-0002</i>                                                        |
|                                                                         | <i>For exhibits filed with the Legal Opinion of [Tom Kaine]</i>       |
|                                                                         | <i>TK-0001</i>                                                        |
|                                                                         | <i>TK-0002</i>                                                        |
|                                                                         | <i>For exhibits filed with the Expert Report of [Lucia Smith]</i>     |
|                                                                         | <i>LS-0001</i>                                                        |
|                                                                         | <i>LS-0002</i>                                                        |
| INDICES                                                                 | <b>Consolidated Hyperlinked Index</b>                                 |
|                                                                         | <b>Index of Exhibits-C-#### to C-####</b>                             |
|                                                                         | <i>Index of Exhibits-C-0001 to C-0023</i>                             |
|                                                                         | <b>Index of Legal Authorities-RLA-### to RLA-###</b>                  |
| OTHER<br>APPLICATIONS                                                   | <i>Index of Legal Authorities-RLA-0001 to RLA-0023</i>                |
|                                                                         | <b>Name of Application-[Party]-LANGUAGE</b>                           |
|                                                                         | <i>Preliminary Objections under Rule 41(5)-SPA</i>                    |
|                                                                         | <i>Request for Bifurcation-ENG</i>                                    |
|                                                                         | <i>Request for Provisional Measures-[Respondents]-SPA</i>             |
|                                                                         | <i>Request for Production of Documents-[Claimant]-SPA</i>             |
|                                                                         | <i>Request for Stay of Enforcement-FR</i>                             |
|                                                                         | <i>Request for Discontinuance-[Claimant]-ENG</i>                      |
|                                                                         | <i>Post-Hearing Brief-[Claimant]-SPA</i>                              |
|                                                                         | <i>Costs Submissions-[Respondent]-ENG</i>                             |
|                                                                         | <i>Observations to Request for [XX]-[Claimant]-SPA</i>                |

### Annex B – Procedural Timetable

| Responsible Party                                                   | Stage                                                                                                 | Date              | Interval (weeks)                 |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-------------------|----------------------------------|
| Claimant                                                            | Memorial on the Merits                                                                                | 30 October 2026   | -                                |
| Respondents                                                         | Request for Bifurcation                                                                               | 14 December 2026  | 6.4                              |
| Claimant                                                            | Response to the Request for Bifurcation                                                               | 18 January 2027   | 5 (including one week Christmas) |
| Respondents                                                         | Reply to the Response to the Request for Bifurcation                                                  | 8 February 2027   | 3                                |
| Claimant                                                            | Rejoinder to the Reply to the Request for Bifurcation                                                 | 1 March 2027      | 3                                |
| Tribunal                                                            | Tribunal's Decision on Bifurcation                                                                    | 29 March 2027     | 4                                |
| <i>If the Tribunal <b>Rejects</b> the Request for Bifurcation*:</i> |                                                                                                       |                   |                                  |
| Respondents                                                         | Counter-Memorial on the Merits and Memorial on Counterclaims                                          | 16 August 2027    | 20                               |
| Parties                                                             | Requests for Production of Documents                                                                  | 20 September 2027 | 5                                |
| Parties                                                             | Responses and/or Objections to Requests for Production of Documents                                   | 25 October 2027   | 5                                |
| Parties                                                             | Replies to Objections to Requests for Production of Documents and Applications to the Tribunal        | 22 November 2027  | 4                                |
| Parties                                                             | Production of Documents which are not subject to Objections                                           | 13 December 2027  | 3                                |
| Tribunal                                                            | Decision on Objections to Requests for Production of Documents                                        | 13 December 2027  | 0                                |
| Parties                                                             | Production of Documents ordered by Tribunal                                                           | 17 January 2028   | 5                                |
| Claimant                                                            | Reply on the Merits and Counter-Memorial on Counterclaims and Jurisdiction                            | 6 March 2028      | 7                                |
| Respondents                                                         | Rejoinder on the Merits and Reply on Counterclaims and Jurisdiction                                   | 7 August 2028     | 22                               |
| Claimant                                                            | Rejoinder on Counterclaims [and Jurisdiction] (if applicable)                                         | 18 September 2028 | 6                                |
| Parties                                                             | Confirm which witnesses and experts they wish to examine                                              | 16 October 2028   | 4                                |
| Tribunal                                                            | Indicate whether it wishes to examine any witnesses/experts not called for examination by the Parties | 23 October 2028   | 1                                |
| All                                                                 | Pre-hearing organizational meeting                                                                    | 30 October 2028   | 1                                |

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Procedural Order No. 1 – Annex B

| Responsible Party                                                                                                                                                                                 | Stage   | Date                                                             | Interval (weeks) |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------------------------------------------------------------------|------------------|
| All                                                                                                                                                                                               | Hearing | 26 February 2029 to 2 March 2029 (3 and 4 March 2029 in reserve) | 17               |
| * If the Tribunal <b><u>grants</u></b> the Request for Bifurcation, the procedural calendar for that scenario will be determined by the Tribunal, in consultation with the Parties, at that time. |         |                                                                  |                  |

**Annex C – Document Production Schedule**

**Limited to one (1) page per request**

|                                                        |                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Request No. 1</b>                                   | <i>This should include the identification of the documents or categories of documents requested, including their relevance and materiality with appropriate references to the Written Submissions and/or Witness Statements and a justification for why the requested documents are believed to be in the possession, custody and control of the opposing party.</i> |
| <b>Objections to production of requested documents</b> |                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Reply to Objections</b>                             |                                                                                                                                                                                                                                                                                                                                                                      |