

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

UNIÓN FENOSA GAS, S.A.

Plaintiff,

v.

ARAB REPUBLIC OF EGYPT

Defendant.

Civil Action No. 1:18-cv-02395-JEB

**STATUS REPORT OF JANUARY 27, 2020**

Plaintiff Unión Fenosa Gas, S.A. (“UFG”) makes this submission pursuant to the Court’s Order of January 29, 2019, instructing UFG to “file a further status report by March 15, 2019, and every 60 days thereafter until service is accomplished.” Although service has been accomplished (*see* Dkt. No. 8, Ex. A), UFG writes to apprise the Court of the status of the proceeding (“Annulment Proceeding”) filed by the Arab Republic of Egypt (“Egypt”) before an *ad hoc* ICSID Annulment Committee (“Annulment Committee”) seeking annulment of the ICSID award (“Award”) that is the subject of this action.

1. As noted in UFG’s December 6, 2019 status report (Dkt. No. 12), on October 18, 2019, the Annulment Committee issued its decision on Egypt’s Request for a Continued Stay of Enforcement of the Award. The Annulment Committee granted Egypt’s request subject to certain conditions, namely that Egypt post security and issue a written undertaking guaranteeing prompt compliance with the Award if it is not annulled. *See* Dkt. No. 12, ¶ 2.

2. Egypt did not comply with these conditions.

3. On January 24, 2020, the Annulment Committee lifted the stay of enforcement of the Award, finding that “given that Egypt has not complied with the conditions for the continuation of the stay of enforcement of the Award . . . the stay of enforcement must

consequently be terminated as requested by UFG.” Decision to Terminate the Stay of Enforcement, ¶ 18. A true and correct copy of the Annulment Committee’s Decision to Terminate the Stay of Enforcement is attached hereto as **Exhibit A**.

4. In light of the termination of the stay of enforcement of the Award, UFG respectfully submits that there is no longer any conceivable justification for Egypt to continue ignoring this proceeding. As UFG reported to the Court in its May 14, 2019 status report (Dkt. No. 8), Egypt was successfully served with process under the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the “Hague Service Convention”), 20 U.S.T. 361, on November 17, 2018, more than 14 months ago.<sup>1</sup>

5. Accordingly, UFG respectfully requests that this Court set a briefing schedule requiring Egypt’s prompt response to UFG’s Complaint.

Dated: Washington, D.C.  
January 27, 2020

Respectfully submitted,

/s/ Jeffery S. Bucholtz  
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<sup>1</sup> Pursuant to 28 U.S.C. § 1608(d), Egypt was required to “serve an answer or other responsive pleading to the complaint within sixty days after service has been made. . .” 28 U.S.C. § 1608(d).

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