

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TECO GUATEMALA HOLDINGS, LLC,

Petitioner,

v.

REPUBLIC OF GUATEMALA,

Respondent.

Civil Action No. 17-102 (RDM)

ORDER AND FINAL JUDGMENT

[1] For the reasons stated in the Court's Memorandum Opinion, Dkt. 48, and in light of the parties' proposed judgments, Dkt. 49-1; Dkt. 49-3, it is hereby **ORDERED** that Petitioner's motion for judgment on the pleadings or, in the alternative, summary judgment, Dkt. 36, is hereby **GRANTED**, and Respondent's motion for summary judgment or, in the alternative, motion for limited discovery or stay, Dkt. 39, is hereby **DENIED**.

[2] It is further **ORDERED** that that the award rendered pursuant to chapter IV of the International Convention on the Settlement of Investment Disputes between States and Nationals of Other States ("ICSID Convention") in Petitioner's favor on December 19, 2013, in the Arbitration (the "Award"), Dkt. 1-2 (Pet.'s Ex. 1), as modified by the subsequent decision on annulment rendered in the arbitration proceeding on April 5, 2016 (the "Annulment Award"), Dkt. 1-3 (Pet.'s Ex. 2) (Annul. Award), is, pursuant to 22 U.S.C. § 1650a, **CONFIRMED**.

[3] It is further **ORDERED** that in accordance with the Award, Respondent pay Petitioner \$21,100,552 USD, plus interest on that amount at the U.S. prime rate plus two percent from

October 21, 2010 until the date of payment in full, compounded annually, currently totaling \$35,036,448 USD as of the date of this judgment. *See* Dkt. 1-2 at 153 (Pet.'s Ex. 1) (Award).

[4] It is further **ORDERED** that in accordance with the Annulment Award, Respondent shall pay Petitioner \$142,395.73 USD, plus statutory interest, totaling \$146,058 USD as of the date of this judgment, and post-judgment interest on this amount at the statutory rate pursuant to 28 U.S.C. § 1961. *See* Dkt. 49-2 (Annex C) (calculating the total award including interest accrued for the relevant period).

[5] It is further **ORDERED** that in accordance with the Annulment Award, Respondent shall pay Petitioner \$273,652.39 USD, plus statutory interest, totaling \$279,731 USD as of the date of this judgment, and post-judgment interest on this amount at the statutory rate pursuant to 28 U.S.C. § 1961. *See* Dkt. 49-2 (Annex B) (calculating the total award including interest accrued for the relevant period).

SO ORDERED.

/s/ Randolph D. Moss
 RANDOLPH D. MOSS
 United States District Judge

Date: November 4, 2019

**ECF
 DOCUMENT**

I hereby attest and certify that this is a printed copy of a document which was electronically filed with the United States District and Bankruptcy Courts for the District of Columbia.

Date Filed: 11/4/2019

ANGELA D. CAESAR, CLERK

By: 

AO 132 (Rev-DC 2/2010) Exemplification Certificate

UNITED STATES DISTRICT AND BANKRUPTCY COURTS FOR THE DISTRICT OF COLUMBIA

EXEMPLIFICATION CERTIFICATE

I, Angela D. Caesar, Clerk of the United States District and Bankruptcy Courts, keeper of the records and seal, certify that the attached documents:

TECO GUATEMALA HOLDINGS, LLC v. REPUBLIC OF GUATEMALA, 17-cv-102-RDM, (Moss, R.) 11/04/2019

are true copies of records of this Court.

In testimony whereof I sign my name, and affix the seal of this Court, in this District, at Washington, D.C. on August 19, 2020.

Angela D. Caesar

Clerk

(By) Deputy Clerk Juleon P. Brown

I, Colleen Kollar-Kotelly, a Judicial Officer of this Court, certify that Angela Caesar, named above, is and was on the date noted, Clerk of this Court, duly appointed and sworn, and keeper of the records and seal, and that this certificate, and the attestation of the record, are in accordance with the laws of the United States.

August 21, 2020 Date

Colleen Kollar-Kotelly Signature of Judicial Officer

United States District Judge Title

I, Angela D. Caesar, Clerk of the United States District and Bankruptcy Courts, keeper of the seal, certify that the Honorable Colleen Kollar-Kotelly, Judicial Officer named above, is and was on the date noted a Judicial Officer of this Court, duly appointed, sworn and qualified, and that I am well acquainted with the Judicial Officer's official signature and know and certify above signature to be that of the Judicial Officer.

In testimony whereof I sign my name, and affix the seal of this Court at Washington, D.C. on August 26, 2020.

Angela D. Caesar

Clerk

(By) Deputy Clerk, Juleon P. Brown