

Standard Chartered Bank v. United Republic of Tanzania
ICSID Case No. ARB/10/12
Procedural Order No. 10

Having considered the views memorialized in the Parties' joint protocol of 5 December 2011, as well as Respondent's Application of 5 December 2011 pursuant to ICSID Rule 26 (concerning the Ogowewo Report), Claimant's Response of 6 December 2011 to that Rule 26 Application, and the oral arguments by counsel during the pre-hearing conference call on 7 December 2011, the Tribunal issues these directions for the London hearings of 13 to 15 December 2011.

1. On Tuesday the 13th and Thursday the 15th, hearings will run from 09:30 to 17:00. On Wednesday the 14th, hearings will run from 09:30 to 18:00, with the extra hour intended to accommodate Respondent's reply to the Ogowewo's Report. In addition to an hour for lunch, the Tribunal contemplates occasional stretch breaks (two in the morning and two in the afternoon) of approximately ten minutes each.
2. The hearings will proceed with (i) Respondent's opening; (ii) Claimant's opening; (iii) Respondent's witnesses; (iv) Claimant's witnesses; (v) Respondent's closing; (vi) Claimant's closing; and (vii) any final questions by the Tribunal.
3. Except as provided herein, time shall be allocated equally between the two sides to use as each sees fit. Respondent is entitled to an extra twenty (20) minutes for its opening to address arguments related to the Ogowewo Report, as well as the additional time indicated below with respect to Messrs. Mabb, Ehrhardt and Luoga.
4. To address the Ogowewo Report, Respondent may, prior to the hearings, submit written reports from Messrs. Mabb, Ehrhardt and/or Luoga. In the absence of such written report(s) Respondent will be entitled to direct oral examination as follows: (i) thirty (30) extra minutes for Mr. Mabb, (ii) fifteen (15) extra minutes for Mr. Ehrhardt, and (iii) forty (40) extra minutes for Professor Luoga. Any such extra direct examination must be responsive to the Ogowewo Report. If a pre-hearing written report is submitted from any of these gentlemen, his direct examination will be limited to a short "warm-up" questions.
5. Cross-examination may cover any question related to the arbitration. The scope of re-direct examination will be limited to questions posed to the witness during cross.
6. If time permits, each side may make a closing submission of thirty (30) minutes.
7. The Tribunal expects to engage counsel with questions throughout the hearings.

For the Arbitral Tribunal,

[Signed]

[William W. Park]

8 December 2011