

**Procedural Order No. 1**

**Annex A<sup>1</sup>**

**Procedural Calendar<sup>2</sup>**

Revision No. 2: 23 September 2021

**Scenario 1: No Preliminary Objections**

<b>Date</b>	<b>Lapse (in days)</b>	<b>Party / Tribunal</b>	<b>Description</b>
Friday, 16 April 2021		TRIBUNAL	Procedural Order No. 1
Friday, 1 October 2021	168	CLAIMANT	Memorial
Thursday, 17 March 2022	167	RESPONDENT	Counter-Memorial
Thursday, 7 April 2022	21	CANADA	Canada's Notice of Intent to File a Submission under Article 832 of the Canada-Peru FTA
<b>Document Production</b>			
Thursday, 7 April 2022	21 <sup>3</sup>	CLAIMANT AND RESPONDENT	Request for Production of Documents
Thursday, 21 April 2022	14	CLAIMANT AND RESPONDENT	Responses and/or Objections to the Request for Production of Documents

<sup>1</sup> This table contains the current procedural calendar. It reflects the initial procedural calendar set forth in Annex A Procedural Order No. 1 of 16 April 2021 (per agreement of the Parties, *see* Parties' communications of 9 April 2021), as modified by subsequent amendments resulting from: (i) Parties' joint communications of 14 May 2021 and 18 June 2021, and the Tribunal's communications of 15 and 24 June 2021; (ii) Parties' joint communication of 22 September 2021, and the Tribunal's communication of 23 September 2021.

<sup>2</sup> All lapses are in days and counted from the immediately prior step unless otherwise indicated.

<sup>3</sup> Lapse counts from Respondent's Counter-Memorial.

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<b>Date</b>	<b>Lapse (in days)</b>	<b>Party / Tribunal</b>	<b>Description</b>
Thursday, 5 May 2022	14	CLAIMANT AND RESPONDENT	Reply to Objections to the Request for Production of Documents – Sent to Tribunal
Thursday, 19 May 2022	14	TRIBUNAL	Decision on Production of Documents
Friday, 27 May 2022	8	CLAIMANT AND RESPONDENT	Production of Non-Contested Documents and Documents Ordered by the Tribunal
Thursday, 19 May 2022	63 <sup>4</sup>	CANADA	Canada’s Submission under Article 832 of the Canada-Peru FTA
Thursday, 19 May 2022	Same above	OTHER PERSONS	Applications/Submissions by “Other Persons” under Article 836 and Annex 836.1 of the Canada-Peru FTA
Monday, 5 September 2022	101 <sup>5</sup>	CLAIMANT	Reply
Tuesday, 10 January 2023	127	RESPONDENT	Rejoinder
Monday, 13 February 2023	34	CLAIMANT AND RESPONDENT	Notification of Witness(es)/Expert(s) to be Cross-Examined at the Hearing
Monday, 20 February 2023	7	CLAIMANT AND RESPONDENT	Proposal on Hearing Schedule ( <i>see</i> , PO1 § 20.2)
Monday, 27 February 2023	7	ALL	Pre-Hearing Organizational Meeting
Monday, 13 March 2023	14	CLAIMANT AND RESPONDENT	Pre-Hearing Skeletons ( <i>see</i> , PO1 § 21.7)

<sup>4</sup> Lapse counts from Respondent’s Counter-Memorial.

<sup>5</sup> Lapse counts from Production of Non-Contested and Ordered Documents.

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<b>Date</b>	<b>Lapse (in days)</b>	<b>Party / Tribunal</b>	<b>Description</b>
27 March 2023 to 6 April 2023	14 <sup>6</sup>	ALL	Hearing ( <i>Note</i> : Parties estimate 9 hearing days at most)
TBD	TBD	CLAIMANT AND RESPONDENT	Post-Hearing Briefs ( <i>see</i> , PO1 § 23.1)
TBD	TBD	CLAIMANT AND RESPONDENT	Statements of Costs ( <i>see</i> , PO1 § 23.2)
		TRIBUNAL	Award

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<sup>6</sup> This 14-day lapse is counted from the prior step (Pre-Hearing Skeletons). If counted from the Respondent's Rejoinder, the total lapse is 76 days.

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**Scenario 2: Preliminary Objections with Request for Bifurcation**

<b>Date</b>	<b>Lapse (# days)</b>	<b>Party / Tribunal</b>	<b>Description</b>
Friday, 16 April 2021		TRIBUNAL	Procedural Order No. 1
Friday, 1 October 2021	168	CLAIMANT	Memorial
Friday, 22 October 2021	21	RESPONDENT	Request for Bifurcation, if any
Friday, 12 November 2021	21	CLAIMANT	Response to Request for Bifurcation
Friday, 26 November 2021	14	TRIBUNAL	Decision on Request for Bifurcation (without reasons)
Friday, 10 December 2021	14	TRIBUNAL	Reasoning for Decision on Request for Bifurcation

**2.1. If Bifurcation is Denied**

The following timetable shall apply in the event the Tribunal decides to join the preliminary objections to the merits:

<b>Date</b>	<b>Lapse (# days)</b>	<b>Party / Tribunal</b>	<b>Description</b>
Thursday, 17 March 2022	167 <sup>7</sup>	RESPONDENT	Counter-Memorial
Thursday, 7 April 2022	21	CANADA	Canada's Notice of Intent to File a Submission under Article 832 of the Canada-Peru FTA
Document Production			

<sup>7</sup> Lapse counted from Claimant's Memorial.

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<b>Date</b>	<b>Lapse (# days)</b>	<b>Party / Tribunal</b>	<b>Description</b>
Thursday, 7 April 2022	21 <sup>8</sup>	CLAIMANT AND RESPONDENT	Request for Production of Documents
Thursday, 21 April 2022	14	CLAIMANT AND RESPONDENT	Responses and/or Objections to the Request for Production of Documents
Thursday, 5 May 2022	14	CLAIMANT AND RESPONDENT	Reply to Objections to the Request for Production of Documents – Sent to Tribunal
Thursday, 19 May 2022	14	TRIBUNAL	Decision on Production of Documents
Friday, 27 May 2022	8	CLAIMANT AND RESPONDENT	Production of Non-Contested Documents and Documents Ordered by the Tribunal
Thursday, 19 May 2022	63 <sup>9</sup>	CANADA	Canada’s Submission under Article 832 of the Canada-Peru FTA
Thursday, 19 May 2022	Same above	OTHER PERSONS	Applications/Submissions by “Other Persons” under Article 836 and Annex 836.1 of the Canada-Peru FTA
Monday, 5 September 2022	101 <sup>10</sup>	CLAIMANT	Reply
Tuesday, 10 January 2023	127	RESPONDENT	Rejoinder

<sup>8</sup> Lapse counted from Respondent’s Counter-Memorial.

<sup>9</sup> Lapse counted from Respondent’s Counter-Memorial.

<sup>10</sup> Lapse counts from Production of Non-Contested and Ordered Documents.

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Date	Lapse (# days)	Party / Tribunal	Description
Monday, 13 February 2023	34	CLAIMANT AND RESPONDENT	Notification of Witness(es)/Expert(s) to be Cross-Examined at the Hearing
Monday, 20 February 2023	7	CLAIMANT AND RESPONDENT	Proposal on Hearing Schedule ( <i>see</i> , PO1 § 20.2)
Monday, 27 February 2023	7	ALL	Pre-Hearing Organizational Meeting
Monday, 13 March 2023	14	CLAIMANT AND RESPONDENT	Pre-Hearing Skeletons ( <i>see</i> , PO1 § 21.7)
27 March 2023 to 6 April 2023	14 <sup>11</sup>	ALL	Hearing ( <i>Note</i> : Parties estimate 9 hearing days at most)
TBD	TBD	CLAIMANT AND RESPONDENT	Post-Hearing Briefs ( <i>see</i> , PO1 § 23.1)
TBD	TBD	CLAIMANT AND RESPONDENT	Statements of Costs ( <i>see</i> , PO1 § 23.2)

2.2. If Bifurcation is Granted

The following timetable shall apply in the event the Tribunal decides to bifurcate:

Date	Lapse (# days)	Party / Tribunal	Description
Wednesday, 12 January 2022	47 <sup>12</sup>	RESPONDENT	Memorial on Jurisdiction

<sup>11</sup> This 14-day lapse is counted from the prior step (Pre-Hearing Skeletons). If counted from the Respondent's Rejoinder, the total lapse is 76 days.

<sup>12</sup> Lapse counted from Tribunal's Decision on Request for Bifurcation without reasons (26 November 2021).

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<b>Date</b>	<b>Lapse (# days)</b>	<b>Party / Tribunal</b>	<b>Description</b>
Wednesday, 9 February 2022	28	CANADA	Canada's Notice of Intent to File a Submission under Article 832 of the Canada-Peru FTA
Thursday, 17 March 2022	64 <sup>13</sup>	CLAIMANT	Counter-Memorial on Jurisdiction
Thursday, 31 March 2022	14	CANADA	Canada's Submission under Article 832 of the Canada-Peru FTA
Thursday, 31 March 2022	Same as above	OTHER PERSONS	Applications/Submissions by "Other Persons" under Article 836 and Annex 836.1 of the Canada-Peru FTA
Thursday, 14 April 2022	28 <sup>14</sup>	RESPONDENT	Reply on Jurisdiction
Thursday, 12 May 2022	28	CLAIMANT	Rejoinder on Jurisdiction
Friday, 20 May 2022	8	CLAIMANT AND RESPONDENT	Notification of Witness(es)/Expert(s) to be Cross-Examined at the Hearing
Friday, 27 May 2022	7	CLAIMANT AND RESPONDENT	Proposal on Hearing Schedule ( <i>see</i> , PO1 § 20.2)
Friday, 3 June 2022	7	ALL	Pre-Hearing Organizational Meeting
Friday, 10 June 2022	7	CLAIMANT AND RESPONDENT	Pre-Hearing Skeletons ( <i>see</i> , PO1 § 21.7)

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<sup>13</sup> Lapse counted from Respondent's Memorial on Jurisdiction.

<sup>14</sup> Lapse counted from Claimant's Counter-Memorial on Jurisdiction.

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<b>Date</b>	<b>Lapse (# days)</b>	<b>Party / Tribunal</b>	<b>Description</b>
20 to 22 June 2022	10 <sup>15</sup>	ALL	Hearing ( <i>Note</i> : Parties estimate 3 hearing days at most)
TBD		CLAIMANT AND RESPONDENT	Post-Hearing Briefs ( <i>see</i> , PO1 § 23.1)
TBD		CLAIMANT AND RESPONDENT	Statements of Costs ( <i>see</i> , PO1 § 23.2)

The remainder of the schedule for further proceedings, if any issues remain after a phase on preliminary objections, will be fixed pursuant to Arbitration Rule 41(4) (last sentence).

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<sup>15</sup> This 10-day lapse is counted from the prior step (Pre-Hearing Skeletons). If counted from the Claimant's Rejoinder on Jurisdiction, the total lapse is 39 days.