

**IN THE MATTER OF AN ARBITRATION UNDER THE  
NORTH AMERICAN FREE TRADE AGREEMENT  
and  
THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF  
FRANCE AND THE GOVERNMENT OF THE UNITED MEXICAN STATES ON THE  
RECIPROCAL PROMOTION AND PROTECTION OF INVESTMENTS  
and  
THE AGREEMENT BETWEEN THE PORTUGUESE REPUBLIC AND THE UNITED  
MEXICAN STATES ON THE RECIPROCAL PROMOTION AND PROTECTION OF  
INVESTMENTS  
and  
*EL ACUERDO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS MEXICANOS Y EL  
GOBIERNO DE LA REPUBLICA ARGENTINA PARA LA PROMOCIÓN Y PROTECCIÓN  
RECÍPROCA DE LAS INVERSIONES*  
- and -**

**THE ARBITRATION RULES OF THE  
UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW (1976)**

**- between -**

**CARLOS SASTRE AND OTHERS  
(the “Claimants”)**

**and**

**THE UNITED MEXICAN STATES  
(the “Respondent”)**

**ICSID Case No. UNCT/20/2**

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**PROCEDURAL ORDER NO. 6**

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*Tribunal*  
Prof. Eduardo Zuleta (Presiding Arbitrator)  
Dr. Charles Poncet  
Mr. Christer Söderlund

*Secretary of the Tribunal*  
Ms. Geraldine R. Fischer

25 February 2022

**I. PROCEDURAL BACKGROUND**

1. Pursuant to Section 19.1 of Procedural Order No. 1 and Annex A of Procedural Order No. 5, a pre-hearing organizational meeting between the Parties and the Tribunal was held by videoconference on 9 February 2022 (the “**Pre-Hearing Conference**”), to discuss any outstanding procedural, administrative, and logistical matters in preparation for the Hearing on Jurisdictional Objections (“**Hearing**”). The following persons participated at the Pre-Hearing Conference:

President of the Tribunal:

Prof. Eduardo Zuleta, President of the Tribunal

ICSID Secretariat:

Ms. Geraldine R. Fischer, Secretary of the Tribunal

On behalf of the Claimants:

Carlos F. Concepción, Esq., B.C.S., Shook, Hardy & Bacon, L.L.P.

Ricardo A. Ampudia, Esq., B.C.S. Shook, Hardy & Bacon, L.L.P.

Giovanni Angles, Esq., Shook, Hardy & Bacon, L.L.P.

Alicia M. Menéndez, Esq., Shook, Hardy & Bacon, L.L.P.

Erick Rodríguez, Shook, Hardy & Bacon, L.L.P.

On behalf of the Respondent:

Orlando Pérez Gárate, Secretaría de Economía

Cindy Rayo Zapata, Secretaría de Economía

Antonio Nava Gómez, Secretaría de Economía

Ellionehit Sabrina Alvarado Sánchez, Secretaría de Economía

Pamela Hernández Mendoza, Secretaría de Economía

Erin Mireille Castro Cruz, Secretaría de Economía

Imelda Aime Anaid Silva Pacheco, Secretaría de Economía

Greg Tereposky, Tereposky & DeRose LLP

Umair Azam, Tereposky & DeRose LLP

2. During the Pre-Hearing Conference, the Parties and the Tribunal discussed the draft Procedural Order circulated to the Parties on 28 January 2022, and the Parties’ joint statement of 8 February 2022 advising the Tribunal of any agreements reached on the various items, as well as their respective positions where no agreement was reached and the Parties’ proposed daily schedules.

3. A recording of the Pre-Hearing Conference was made and uploaded to the Box account for this case. The Pre-Hearing Conference shall be closed to the public as well as video recordings made thereof.
4. The Tribunal has considered the Parties' positions, and, in the present Order, sets out the procedural rules that the Parties have agreed upon and/or the Tribunal has determined will govern the conduct of the Hearing.

## **II. ORGANIZATION OF THE HEARING**

### **A. DATE AND FORMAT OF THE HEARING**

5. The Hearing will take place virtually from 28 March- 1 April 2022 through Zoom with ICSID to make the necessary arrangements.
6. The details to join the Zoom session will be shared by the ICSID Secretariat in advance of the Hearing.
7. Hearing shall be closed to the public as well as video recordings made thereof. However, the NAFTA Parties may participate in the Hearing as observers.

### **B. ORDER OF PROCEEDINGS AND SCHEDULE**

8. In order to accommodate the multiple time zones of all Hearing Participants, the Hearing will start at 08:00 (Mexico City)/09:00 (EST)/15:00 (CEST). It is expected to conclude by 12:00 (Mexico City)/13:00 (EST)/19:00 (CEST).
9. The daily schedule is included in this procedural order as **Annex A**.
10. Following consultation with the Parties, the Tribunal may amend this schedule if necessary.

### **C. TIME ALLOCATION**

11. The Hearing will proceed on the principle that the Parties should have equal time to present their case within the time allocation agreed upon for each phase of the Hearing (*e.g.* Opening Statement, Examination of Witnesses and Experts, Responses to Questions from

the Tribunal, if any). The Tribunal may, if it deems it necessary, make adjustments during the Hearing so that each Party has adequate time to present its case.

12. Time used by the Parties in oral argument or in examination of witnesses and experts shall be attributable to the Party making such argument or conducting such examination. Time spent on housekeeping matters or technical disruptions shall not be counted toward either Party's time allocation. Questions from the Tribunal (and answers) will be counted against the Tribunal's time.
13. Each Party shall have the following allocated time for each stage of the Hearing:
  - (a) *Opening Statement*. Each Party shall be allowed a maximum of 1 hour and 30 minutes for its Opening Statement.
  - (b) *Witnesses/Expert direct examination*:
    - *Direct Examination of Fact Witnesses*. in accordance with Section 18.8.2. of Procedural Order No. 1, the direct examination of a fact witness shall not exceed 5 minutes. Direct examination at the hearing shall be limited to the contents of the witness's written statement(s) and any corrections thereof.
    - *Direct Presentations by Experts*. The presentation by an expert envisioned by Section 18.8.2. of Procedural Order No. 1 shall not exceed 30 minutes. Direct examination at the hearing shall be limited to the contents of the expert's written statement(s) and any corrections thereof.
  - (c) Subject to the schedule and to not exceeding the total time allotted to each Party, as adjusted by the Tribunal, it is left to each Party to determine how much of its total allotted time it wishes to spend on each witness.
  - (d) *Closing statements/Post Hearing Briefs*: The Tribunal, in consultation with the Parties, will determine whether it requires Closing Statements or Post Hearing Briefs, but not both, and the extent thereof. The Parties and the Tribunal will make its best efforts to

finish Witness/Expert Examination before Friday, 1 April 2022, so that there is adequate time to prepare if the Tribunal were to consider that Closing Statements are necessary.

(e) *Housekeeping*: 10 minutes a day will be reserved for housekeeping matters. Time used for housekeeping or to resolve technical difficulties shall be counted against the time reserved for housekeeping or against the Tribunal's reserved time, if needed.

(f) *Tribunal Questions*: 2 hours and 30 minutes will be reserved for the Tribunal Questions. Time taken by the Tribunal for its own questions during the Parties' presentations and examinations shall not be counted against the Parties' time.

14. The Secretary of the Tribunal will maintain the hearing time using the chess-clock method and report the time used after each day of the Hearing
15. The Tribunal emphasizes that the Parties are expected to use the Hearing day efficiently and avoid unnecessary slippage (*e.g.*, delays in returning from breaks). To this end, as a general rule, each witness/expert shall be available for examination half a day before and after the time at which his/her examination is scheduled.
16. In the event of excess slippage, the Tribunal may revisit the length of the sitting day, or in unusual circumstances the time allocations of the Parties, bearing in mind principles of predictability, equal treatment and a fair opportunity for the Parties to be heard.

#### **D. DOCUMENTS FOR USE AT THE HEARING**

##### **1. Electronic Hearing Bundle**

17. There shall be a single Electronic Hearing Bundle (PC and Mac compatible), to be prepared jointly by the Parties.
18. The Parties shall provide, no later than **15 March 2022**, the Electronic Hearing Bundle which shall contain all pleadings, expert reports, exhibits, legal authorities and Tribunal's orders or decisions on file to date, with a consolidated hyperlinked index. It shall not contain any document not previously filed. It shall be organized as follows:

Electronic Hearing Bundle:

- 01. Pleadings**
  - A. Claimants
  - B. Respondent
- 02. Witness Statements**
  - A. Claimants
  - B. Respondent
- 03. Expert Reports**
  - A. Claimants
  - B. Respondent
- 04. Exhibits**
  - A. Claimants
  - B. Respondent
- 05. Legal Authorities**
  - A. Claimants
  - B. Respondent
- 06. Tribunal's Rulings**

19. The Electronic Hearing Bundle shall be uploaded by the Parties to a designated sub-folder in the BOX filesharing platform. To ensure operation of the hyperlinked index, the entire Electronic Hearing Bundle 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 Electronic Hearing Bundle to a designated sub-folder on to the BOX filesharing platform, in a sub-folder using the structure indicated at paragraph 18 *supra* and including a consolidated hyperlinked index. The Parties will also prepare a second index, preferably hyperlinked, of both Parties combined factual exhibits in chronological order. The court reporters and the interpreters and service providers will also be provided a copy of the Electronic Hearing Bundle via the ICSID Secretariat.
20. At the conclusion of the written and oral submissions, the Parties shall update the Electronic Hearing Bundle to include, for example, hearing demonstratives and any post-hearing submissions, and also provide an updated consolidated and hyperlinked index.

**2. Electronic Hearing Bundle for Cross-Examination**

21. During cross-examination, the Parties will refer to documents that already form part of the record of the case.
22. The witness and experts are entitled to be shown a full copy of any exhibit or authority on which they will be questioned (*i.e.*, they are not to be restricted to reviewing excerpts of documents shown on a screen), provided that witnesses should not take excessive time to review parts of documents on which they are not being questioned.
23. To this effect, each Party shall prepare abridged hyperlinked indices to serve as cross-examination bundles, to be provided to the Tribunal and to the other Party and the Witness/Expert **one hour** before the relevant cross-examination. This will enable participants to download the index and documents before the cross-examination and to search for relevant exhibits discussed during the cross-examination.

**3. Demonstrative Exhibits**

24. The Parties may use PowerPoint or other slide presentations for their oral statements, subject to the below rule on demonstrative exhibits.
25. Demonstrative exhibits shall be used in accordance with Sections 16.7 of Procedural Order No. 1 (reproduced below), with certain adjustments indicated in paragraph 26 *infra*:

*16.7. Demonstrative exhibits (such as Power Point slides, charts, tabulations, etc.) may be used at the hearing, provided they contain no new evidence. Each Party shall number its demonstrative exhibits consecutively, and indicate on each demonstrative exhibit the number of the document(s) from which it is derived. The Party submitting such exhibits shall provide them in hard and electronic copies to the other Party, the Tribunal Members, the Tribunal Secretary, the court reporter(s) and interpreter(s) at the hearing.*

26. To account for the virtual nature of the Hearing, PO1 Section 1 is 16.7 amended such that: (i) the hard copy submission of demonstratives is not required; and (ii) and the Parties will send an electronic copy of each demonstrative by email to the other Party, the Secretary of

the Tribunal, the Members of the Tribunal and to the court reporters **one** hour *prior* to its use. After the Hearing day, the Parties will upload the used demonstrative to BOX designating each with the corresponding CD-\_\_ or RD-\_\_ number.

27. The Tribunal shall issue directions as it considers appropriate in the event that (i) a PowerPoint or demonstrative introduces evidence not on the record, (ii) inaccurately reflects material on the record, or (iii) demonstratives or oral presentations introduce arguments not already reflected in the material on the record.

#### 4. **Electronic Presentation of Evidence**

28. Each Party shall present demonstrative exhibits and evidence *via* the video platform system. Documents that do not form part of the record may not be presented at the Hearing.

#### **E. WITNESS AND EXPERT EXAMINATION**

29. The examination and cross-examination will proceed in accordance with Sections 18.8-18.10 of Procedural Order No. 1, which reads as follows:

*18.8. At the hearing, witnesses and experts shall be examined by each Party under the control of the Tribunal. The examination of each witness shall be limited to the content of the witness statement or expert report and proceed as follows:*

*18.8.1. Before giving evidence, witnesses shall make the declaration in ICSID Arbitration Rule 35(2), and experts shall make the declaration contained in ICSID Arbitration Rule 35(3).*

*18.8.2. Direct examination is given in the form of witness statements and expert reports. The Party who has presented the witness may briefly examine the witness for purposes of asking introductory questions, including about any corrections to be made to the witness statement. After consultation with the Parties, the Tribunal may also request experts to give a presentation lasting no longer than thirty minutes before the start of their cross-examination summarizing their methodology and conclusions.*

*18.8.3. Subject to the discretion of and direction from the Tribunal, the witness or expert may be cross-examined on the contents of the witness statement or expert report, the witness or expert's credibility and on issues that, despite not being addressed in his or her witness statement or expert report, are issues that the witness knows or should reasonably be expected to know or issues on which the expert should reasonably be able to provide an opinion.*

*18.8.4. The Party who has presented the witness may then re-examine the witness with respect to any matters or issues arising out of the cross-examination.*

*18.8.5. The Tribunal may examine the witness at any time, either before, during or after examination by one of the Parties; and*

*18.8.6. The Tribunal may direct two or more experts to be examined concurrently (expert conferencing). This and other matters relating to the examination of experts will be addressed at an appropriate time in advance of a hearing.*

*18.9. Subject to a different agreement by the Parties, a fact witness who is not a named Party in this arbitration shall not be present in the hearing room during oral testimony and arguments, or read any transcript of any oral testimony or argument, prior to his or her examination. Fact witnesses may be in the hearing room after completion of their testimony. This limitation does not apply to expert witnesses.*

*18.10. The Tribunal shall, at all times, have complete control over the procedure for hearing a witness.*

30. The Respondent has called the following witnesses and experts produced by the Claimants:

***Witnesses***

1. Carlos Esteban Sastre [Spanish]
2. Mónica Galán Ríos [Spanish]
3. Eduardo Nuno Vaz Osorio Dos Santos Silva [English]
4. Renaud Jacquet [English]

***Expert***

1. Sergio Bonfiglio Macbeath [Spanish]

31. The Claimants have called the following witnesses and experts produced by the Respondent:

***Witness***

1. Mr. Marcelino Miranda Aceves [Spanish]

***Expert***

2. Mr. Pablo Gutiérrez de la Peza Gutiérrez [Spanish]

32. At the beginning examination of the witness/expert's examination session, the witness shall provide a 360-degree view of the room, or any part thereof indicated by the Tribunal. At any time, the Tribunal or the Parties may ask the witness/expert to orient his/her camera to provide a 360-degree view of the room in which he/she is sitting, or any part thereof as indicated by the Tribunal. Each witness and expert shall affirm at the start of the examination that he or she is the only person present in the room and will not receive or make communications of any sort during the course of his or her examination. Each Witness shall also affirm that they have not attended or watched the Hearing prior to their examination, except the Claimants may attend the Opening Statements (but not any prior witness examination).<sup>1</sup>
33. Fact witnesses shall not discuss the subject of their testimony or examinations with other witnesses or Party representatives related to other oral statements prior to his or her examination.

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<sup>1</sup> The Tribunal has carefully considered the particular circumstances of this case. All the individuals presented as witnesses by Claimant and that Respondent called for cross-examination are at the same time the claimants in this case. Moreover, some claims contain facts that seem common to two or more claimants. The Tribunal concluded that in this particular scenario, the testimony of one claimant may contaminate the testimony of all the claimants that are cross-examined thereafter, which would be of no assistance for the Tribunal.

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34. The witness or expert shall remain visible at all times during the examination. The witness or expert will be connected to the Hearing Waiting Room 30 minutes before his/her examination to ensure that s/he is available in time to be brought into the Hearing Room.
35. The witness or expert shall not use a “virtual background” or in any way prevent or limit the recording of the remote venue from which he or she is testifying.
36. The witness or expert shall be able to view the Tribunal Members, the attorneys conducting the examination, and documents presented by the examining attorney through the Zoom platform/uploaded onto BOX. Except for an unannotated copy of his/her witness statement(s)/expert report(s) and the documents which will be shown on the screen during the examination, the witness/expert shall not be aided by any other documents, notes or otherwise, unless permitted by the Tribunal upon application by a Party.

**F. AUDIO AND VIDEO RECORDING**

37. There will be both audio and video recordings of the proceedings. The third-party Zoom provider will upload the recordings to Box as soon as possible.
38. Option for those who do not want video recording: The video recording will not be made public or become part of the record of this arbitration. However, the video recording may be used to guide transcript corrections, and once transcript corrections have been completed, the transcript shall serve as the record of the Hearing. The Tribunal also may refer to the video recording, as it deems necessary.
39. Except for the court reporters that will make their own audio recording of the Hearing, attendees will not otherwise make any audio, video or screenshot record of the Hearing or any part of it.

**G. TRANSCRIPTION**

40. The provisions of Procedural Order No. 1, Sections 21.2 and 21.3 concerning transcription (reproduced below) apply:

*21.2. Verbatim transcripts in the procedural languages shall be made of the hearing and sessions other than sessions on procedural issues. Unless otherwise agreed by the Parties or ordered by the Tribunal, the verbatim transcripts shall be available in real-time using LiveNote or similar software and electronic transcripts shall be provided to the Parties and the Tribunal on a same-day basis. The Secretariat will arrange for court reporting services.*

*21.3. The Parties shall agree on any corrections to the transcripts 45 days of the later of the dates of the receipt of the sound recordings and transcripts. The agreed corrections may be entered by the Parties 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.*

41. Real-time court reporting in English and Spanish will be provided *via* an online link. The Secretariat will send the Hearing Participants the connection details to access the remote Real-time transcripts, which should be accessed on a laptop or iPad separate from the device used for Zoom.
42. Pursuant to section 21.3, the Parties shall agree on any corrections to the transcripts 45 days of the later of the dates of the receipt of the sound recordings and transcripts. The agreed corrections may be entered by the Parties 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.

#### **H. INTERPRETATION**

43. ICSID will arrange for interpretation in English and Spanish languages.
44. Each Participant should select a language channel when connecting to the Hearing (English or Spanish). Once a language selection is made, it is highly recommended that the Participant only use that language and avoid switching interpretation channels.
45. The Participants should speak slowly, one person at a time, and should pause briefly when handing the floor to another Participant.

46. Each Active Participant should, insofar as possible, email any speaking notes directly to the court reporters and interpreters prior to the start of each session. These notes will be treated as confidential information.

**I. POST-HEARING SUBMISSIONS/CLOSING STATEMENTS/COST STATEMENTS**

47. The Tribunal and the Parties to discuss before the conclusion of the Hearing whether to have closing submissions or post-hearing submissions, but not both. The Tribunal invites the Parties to discuss the timing and format of the respective submissions in advance of the last day of the hearing. The Parties will prepare Cost Statements with itemized costs (no submissions).

**J. HEARING PARTICIPANTS**

48. Each Party shall provide its respective List of Hearing Participants (“**List of Participants**”) by **21 March 2022**, using the format provided in **Annex B**. Each Party shall designate those participants that will have an active speaking role (“**Active Participants**”), and those who will be passive attendees (“**Passive Participants**”).
49. For ease of identification, Participants shall join the videoconference using the naming convention indicated in the format in **Annex B**, namely, first and last name preceded by [C] (for Participants for Claimants), [R] (for Participants for Respondent), [CE/RE] (for Claimants’ expert or Respondent’s expert), [CW/RW] (for Claimants’ witness or Respondent’s witness). Should there be Participants joining from a common conference room, the conference room connection may be identified as “[C] [R] Conference Room #” as appropriate and all those attending from that conference room must be identified in the list of participants.
50. Access to the videoconference shall be restricted to those included in the List of Participants. Should any non-listed Participant attempt to connect to the videoconference, the technical operator hosting the meeting will alert the Secretary of the Tribunal, and the Tribunal will promptly address the matter with the Parties. All Participants in the Hearing bear an ongoing duty to warn of the presence of any other person on the videoconference.

51. Participants shall join the videoconference 30 minutes in advance of the start on each day to facilitate the identification and to address any technical contingencies.
52. During the designated Hearing breaks, the Parties will be assigned to breakout rooms within the videoconference platform to enable to promptly reconvene all Participants following breaks.
53. The List of Participants (Annex B) shall indicate the break-out room to which Participants shall be assigned, with [C] for the Claimants' break out room, [R] for the Respondent's break out room. Should there be a break in the course of a given witness or expert examination, the testifying witness/expert will be isolated in a separate break out room identified as [W/E].
54. In the List of Participants, each Party shall designate one of its representatives as the contact person for purposes of addressing any technical incidents which arise during the videoconference ("**VC Emergency Contact Person**"). The VC Emergency Contact Person shall be responsible for advising the Tribunal and ICSID if an essential participant on his/her side is temporarily disconnected from the remote Hearing room.
55. ICSID shall schedule a hearing connection rehearsal on the hearing's Zoom platform with all hearing Participants from their respective hearing locations.
56. Should any connection issues occur at the hearing, the Tribunal shall consult with the Parties on how to address the connectivity issues and whether alternative arrangements are appropriate.

**K. VIDEO CONFERENCE ETIQUETTE**

57. Once admitted to the videoconference, and barring technical issues or other exceptional circumstances, lead counsel and Party representatives should remain connected throughout the Hearing day.
58. The Parties are advised to keep the number of video connections to a minimum, and to Active Participants only. Unless the Tribunal otherwise deems appropriate, only one video

feed from an Active Participant (without counting the witness or expert) shall be enabled at a time. All Active Participants must use a headset with a microphone during the Hearing to ensure sufficient sound quality. Non-Active Participants may view and listen to the hearing, but the Zoom Provider shall ensure that the video and audio feeds of non-Active Participants are turned off at all times.

59. Participants are advised to join the Hearing from a location without background noise and with adequate lighting. Participants joining via video shall avoid sitting with a window or source of light behind them.
60. The above provisions on videoconference protocols may be adjusted or supplemented by the Tribunal, in consultation with the Parties, in the course of the Hearing.

For and on behalf of the Tribunal,

[Signed]

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Prof. Eduardo Zuleta  
President of the Tribunal  
Date: 25 February 2022

**PROCEDURAL ORDER NO. 6-UPDATED ANNEX A**  
**HEARING SCHEDULE**

**Day 1: Monday, March 28, 2022**

Hour (Washington, D.C.)	Duration (mins.)	PROCEDURAL STEP
<b>10:00 AM</b>	10	Introductory matters; housekeeping
<b>10:10 AM</b>	90	Respondent's Opening Statement
<b>11:40 AM</b>	15	Tribunal's Reserved Time
<i>11:55 AM</i>	<i>20</i>	<i>Break</i>
<b>12:15 PM</b>	90	Claimants' Opening Statement
<b>13:45 PM</b>	15	Tribunal's Reserved Time
<b>14:00 PM</b>	5	Direct Examination of Renaud Jacquet (Claimants' witness)
<b>14:05 PM</b>	40	Cross-examination of Mr. Jacquet(Claimants' witness)
<b>14:45 PM</b>	10	Re-direct examination of Mr. Jacquet (Claimants' witness)
<b>14:55 PM</b>	15	Tribunal's reserved time
<b>15:10 PM</b>	<b>END</b>	<b>END</b>

Claimants' daily used time: 105 min.

Claimants' total used time: 105 min.

**PROCEDURAL ORDER NO. 6-UPDATED ANNEX A**  
**HEARING SCHEDULE**

Respondent's daily used time: 130 min.

Respondent's total used time: 130 min.

Total daily time (including housekeeping and breaks): 310 min

**Day 2: Tuesday, March 29, 2022**

<b>Hour (Washington, D.C.)</b>	<b>Duration (mins.)</b>	<b>PROCEDURAL STEP</b>
<b>10:00 AM</b>	10	Introductory matters; housekeeping
<b>10:10 AM</b>	5	Direct examination of Carlos Sastre (Claimant witness)
<b>10:15 AM</b>	60	Cross-examination of Mr. Sastre (Claimants' witness)
<b>11:15 AM</b>	10	Re-direct examination of Mr. Sastre (Claimants' witness)
<b>11:25 AM</b>	15	Tribunal's reserved time
<b>11:40 AM</b>	<b>20</b>	<b>Break</b>
<b>12:00 PM</b>	5	Direct examination of Mr. Silva (Claimants' witness)
<b>12:05 PM</b>	60	Cross examination of Mr. Silva (Claimants' witness)
<b>13:05 PM</b>	10	Re-direct examination of Mr. Silva (Claimants' witness)

**PROCEDURAL ORDER NO. 6-UPDATED ANNEX A**  
**HEARING SCHEDULE**

<b>Hour (Washington, D.C.)</b>	<b>Duration (mins.)</b>	<b>PROCEDURAL STEP</b>
<b>13:15 PM</b>	15	Tribunal's reserved time
<b>13:30 PM</b>		<b>End</b>

Claimants' daily time used: 30 min.

Claimants' total time used: 135 min.

Respondent's daily time used: 120 min.

Respondent's total time used: 250 min.

Total daily time (including housekeeping and breaks): 210 min.

**Day 3: Wednesday, March 30, 2022**

<b>Hour (Washington, D.C.)</b>	<b>Duration (mins.)</b>	<b>PROCEDURAL STEP</b>
<b>10:00 AM</b>	10	Introductory matters; housekeeping
<b>10:10 AM</b>	5	Direct examination of Mrs. Galán (Claimants' witness)
<b>10:15 AM</b>	60	Cross-examination of Mrs. Galán (Claimants' witness)
<b>11:15 AM</b>	10	Re-direct examination of Mrs. Galán (Claimants' witness)
<b>11:25 AM</b>	15	Tribunal's reserved time

**PROCEDURAL ORDER NO. 6-UPDATED ANNEX A**  
**HEARING SCHEDULE**

Hour (Washington, D.C.)	Duration (mins.)	PROCEDURAL STEP
<b>11:40 AM</b>	<b>20</b>	<b><i>Break</i></b>
<b>12:00 PM</b>	5	Direct examination of Mr. Marcelino Miranda Aceves (Respondent's witness)
<b>12:05 PM</b>	20	Cross-examination of Mr. Marcelino Miranda Aceves (Respondent's witness)
<b>12:25 PM</b>	10	Re-direct examination of Mr. Marcelino Miranda Aceves (Respondent's witness)
<b>12:35 PM</b>	15	Tribunal's reserved time
<b>12:50 PM</b>		<b>End</b>

Claimants' daily time used: 35 min.

Claimants' total time used: 170 min.

Respondent's daily time used: 75 min.

Respondent's total time used: 325 min

Total daily time (including housekeeping and breaks): 170 min.

**PROCEDURAL ORDER NO. 6-UPDATED ANNEX A**  
**HEARING SCHEDULE**

**Day 4: Thursday March 31, 2022**

Hour (Washington, D.C.)	Duration (mins.)	PROCEDURAL STEP
<b>10:00 AM</b>	10	Introductory matters; housekeeping
<b>10:10 AM</b>	30	Presentation by Mr. Bonfiglio (Claimants' Agrarian Law expert)
<b>10:40 AM</b>	75	Cross-examination of Mr. Bonfiglio (Claimants' Agrarian Law expert)
<b>11:55 AM</b>	10	Re-direct of Mr. Bonfiglio (Claimants' Agrarian Law expert)
<b>12:05 AM</b>	20	Tribunal's reserved time
<b>12:25 AM</b>	20	<i>Break</i>
<b>12:45 AM</b>	30	Presentation by Mr. Gutiérrez de la Peza (Respondent's Agrarian expert)
<b>13:15 PM</b>	85	Cross- examination of Mr. Gutiérrez de la Peza (Respondent's Agrarian expert)
<b>14:40 PM</b>	10	Re-direct examination of Mr. Gutiérrez de la Peza (Respondent's Agrarian expert)
<b>14:50 PM</b>	20	Tribunal's reserved time
<b>15:10 PM</b>		<b>End</b>

**PROCEDURAL ORDER NO. 6-UPDATED ANNEX A**  
**HEARING SCHEDULE**

Claimants' daily time used: 125 min.

Claimants' total time used: 295 min.

Respondent's daily time used: 115 min.

Respondent's total time used: 440 min.

Total daily time (including housekeeping and breaks): 315 min.

**Day 5: Friday, April 1, 2022 – Reserved for Closing Statements if the Tribunal decides they are necessary.**

**UPDATED ANNEX B**  
**LIST OF PARTICIPANTS<sup>1</sup>**

<b>TRIBUNAL</b>						
<b>Room</b>	<b>Name</b>	<b>Role</b>	<b>In person (IP) or virtual (V)</b>	<b>Affiliation to Case</b>	<b>Location of Connection (if remote)</b>	<b>Personal Contact</b>
T	[T] – Eduardo Zuleta	A		President	Office [City]	Email: Phone:
T	[T] – Charles Poncet	A		Co-arbitrator	Office [City]	Email: Phone:
T	[T] – Christer Söderlund	A		Co-arbitrator	Home [City]	Email: Phone:

<b>SECRETARY OF THE TRIBUNAL</b>						
<b>Room</b>	<b>Name</b>	<b>Role</b>	<b>In person (IP) or virtual (V)</b>	<b>Affiliation to Case</b>	<b>Location of Connection (if remote)</b>	<b>Personal Contact</b>
T	[T] – Geraldine Fischer	A		Secretary of the Tribunal	Home [City]	Email: Phone:

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<sup>3</sup> Use “A” (Active Participants) / “P” (Passive Participants). Only participants marked as “A” who are participating virtually will activate their cameras during the Hearing, except as provided in para. [x].

CLAIMANTS						
Room <sup>2</sup>	Name	Role	In person (IP) or virtual (V)	Affiliation to Case	Location of Connection (if remote)	Personal Contact
	<i>Counsel:</i>					
	<i>Party Representative:</i>					
	<i>Witnesses:</i>					
	<i>Experts:</i>					

RESPONDENT						
Room <sup>3</sup>	Name	Role	In person (IP) or virtual (V)	Affiliation to Case	Location of Connection (if remote)	
	<i>Counsel:</i>					
	<i>Party Representatives:</i>					
	<i>Witnesses:</i>					
	<i>Experts:</i>					

COURT REPORTERS				
Room	Name and Contact	Role	Affiliation	Location of Connection

<sup>4</sup> Witnesses [W] and Experts [E] called to testify and who will be testifying virtually will be assigned to the waiting room W/E during their cross-examination. Experts [E] will be assigned to Waiting Room [C] if they are present during any other time.

<sup>5</sup> Witnesses [W] and Experts [E] called to testify and who will be testifying virtually will be assigned to Waiting Room W/E during their cross-examination. Experts [E] will be assigned to Waiting Room [R] if they are present during any other time.

*Carlos Sastre and others v. United Mexican States*  
(ICSID Case No. UNCT/20/2)

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Procedural Order No. 6

N/A	[TRA] – Name Last name [Email/Phone]	P		[City]
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**INTERPRETERS**

<b>Room</b>	<b>Name and Contact</b>	<b>Role</b>	<b>Affiliation to Case</b>	<b>Location of Connection</b>
N/A	[INT] – Name Last name [Email/Phone]	P	Interpreter	[City]

**TECHNICAL SUPPORT STAFF**

<b>Room</b>	<b>Name</b>	<b>Role</b>	<b>Affiliation to Case</b>	<b>Location of Connection</b>
N/A	[IT] – Name Last name [Email]	P	[xx]	[xx]
N/A		P	Paralegal, ICSID	Home [City]