

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

ICSID CASE NO. ARB/21/51

DISCOVERY GLOBAL LLC

Claimant

v

THE SLOVAK REPUBLIC

Respondent

CONSOLIDATED INDEX OF LEGAL AUTHORITIES

Members of the Tribunal:

Professor Gabrielle Kaufmann-Kohler, President

Mr Stephen L. Drymer, Arbitrator

Professor Philippe Sands KC, Arbitrator

Secretary of the Tribunal: Ms Jara Minguez Almeida

Assistant to the Tribunal: Dr Magnus Jesko Langer

Discovery Global LLC's letter to the Tribunal dated 5th April 2022		
Exhibit No.	Description	Date
<u>CL-001</u>	IBA Rules on the Taking of Evidence in International Arbitration (2020)	17 December 2020
<u>CL-002</u>	<i>GCM Mining Corp. (formerly Gran Colombia Gold Corp.) v. Republic of Colombia</i> , ICSID Case No. ARB/18/23, Procedural Order No. 11 on the Parties Requests for Documents, 28 September 2021	28 September 2021
<u>CL-003-ENG</u>	<i>Carlos and Francisco Rios v. Republic of Chile</i> , ICSID Case No. ARB/17/16, Procedural Order No. 7, 4 October 2019 (Spanish with English translation)	4 October 2018
<u>CL-003-SPN</u>	<i>Carlos and Francisco Rios v. Republic of Chile</i> , ICSID Case No. ARB/17/16, Procedural Order No. 7, 4 October 2019 (Spanish with English translation)	4 October 2018
<u>CL-004</u>	<i>Born International Commercial Arbitration</i> , (3 rd ed, Kluwer, 2021), Vol II	2021
<u>CL-005</u>	<i>Edwardian Group Limited</i> [2017] EWHC 2805 (Ch), Case No. CR-2015-009042	10 November 2017
<u>CL-006</u>	<i>Re Global Medical Imaging Management Limited</i> [2001] NSWSC 476	June 2001
<u>CL-007</u>	<i>Three Rivers District Council v. Bank of England (No. 6)</i> [2004] UKHL 48, [2004] 3 WLR 1274	11 November 2004
<u>CL-008</u>	<i>US v. Ocwen Loan Servicing</i> , 2016 WL 1031157	15 March 2016
<u>CL-009</u>	Treaty between the Czech and Slovak Federal Republic and the United States of America concerning the Reciprocal Encouragement and Protection of Investment	
<u>CL-010</u>	McLachlan, Shore & Weiniger <i>International Investment Arbitration</i> (2 nd ed, OUP, 2017)	23 March 2017
<u>CL-011</u>	<i>Saluka Investments BV v. The Czech Republic</i> , PCA Case No. 2001-04, Partial Award, 17 March 2006	28 September 2021
Discovery Global LLC's Memorial		
<u>CL-012</u>	<i>Hassan Awdi, Enterprise Business Consultants, Inc. and Alfa El Corporation v. Romania</i> , ICSID Case No. ARB/10/13, Award, 2 March 2015	2 March 2015
<u>CL-013</u>	<i>Ickale Insaat Limited Sirketi v. Turkmenistan</i> , ICSID Case No. ARB/10/24, Award, 8 March 2016	8 March 2016
<u>CL-014</u>	Vienna Convention on the Law of Treaties	1969
<u>CL-015</u>	<i>Infinito Gold Ltd. v. Republic of Costa Rica</i> , ICSID Case No. ARB/4/15, Award, 3 June 2021	3 June 2021
<u>CL-016</u>	<i>MTD Equity Sdn Bhd and MTD Chile SA v. Republic of Chile</i> , ICSID Case No. ARB/01/7, Award, 25 May 2004	25 May 2004
<u>CL-017</u>	<i>Saluka Investments BV (The Netherlands) v. Czech Republic</i> , UNCITRAL, Partial Award, 17 March 2006	17 March 2006
<u>CL-018</u>	<i>S.D. Myers Inc. v. Government of Canada</i> , UNCITRAL, Partial Award, 13 November 2000	13 November 2000
<u>CL-019</u>	<i>Vivendi v Argentina</i> , ICSID Case No. ARB/97/3, Award, 20 August 2007	20 August 2007
<u>CL-020</u>	<i>Waste Management, Inc. v. Mexico</i> , ICSID Case No. ARB(AF)/00/3, Award, 30 April 2004	30 April 2004

<u>CL-021</u>	<i>Tecnicas Medioambientales Tecmed SA v. Mexico</i> , ICSID Case No. ARB (AF)/00/2, Award, 29 May 2003	29 May 2003
<u>CL-022</u>	<i>Waguih Elie George Siag and Clorinda Vecchi v. The Arab Republic of Egypt</i> , ICSID Case No. ARB/05/15, Award, 1 June 2009	1 June 2009
<u>CL-023</u>	<i>Biwater Gauff (Tanzania) Ltd. v. United Republic of Tanzania</i> , ICSID Case No. ARB/05/22, Award, 24 July 2008	24 July 2008
<u>CL-024</u>	<i>EDF (Services) Limited v. Romania</i> , ICSID Case No. ARB/05/13, Award, 8 October 2009	8 October 2009
<u>CL-025</u>	<i>El Paso Energy International Company v Argentina</i> , ICSID Case No. ARB/03/15, Award, 31 October 2011	31 October 2011
<u>CL-026</u>	<i>Crystallex International Corporation v. Bolivarian Republic of Venezuela</i> , ICSID Case No. ARB(AF)/11/2, Award, 4 April 2016	4 April 2016
<u>CL-027</u>	<i>EnCana Corporation v. Republic of Ecuador</i> , LCIA Case No. UN 3481, Award, 3 February 2006	3 February 2006
<u>CL-028</u>	<i>Garanti Koza LLP v. Turkmenistan</i> , ICSID Case No. ARB/11/20, Award, 19 December 2016	19 December 2016
<u>CL-029</u>	<i>Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt</i> , ICSID Case No. ARB/04/13, Award, 6 November 2008	6 November 2008
<u>CL-030</u>	<i>OOO Manolium Processing v. Republic of Belarus</i> , PCA Case No. 2018-06, Final Award, 22 June 2021	22 June 2021
<u>CL-031</u>	<i>Joseph Charles Lemire v. Ukraine</i> , ICSID Case No. ARB/06/18, Decision on Jurisdiction and Liability, 14 January 2010	14 January 2010
<u>CL-032</u>	<i>Rumeli Telekom A.S. and Telsim Mobil Telekomunikasyon Hizmetleri A.S. v. Republic of Kazakhstan</i> , ICSID Case No. ARB/05/16, Award, 29 July 2008	29 July 2008
<u>CL-033</u>	<i>Photovoltaik Knopf Betriebs-GmbH v. Czech Republic</i> , PCA Case No. 2014-21, Award, 15 May 2019	15 May 2019
<u>CL-034</u>	<i>Antaris Solar GmbH and Dr. Michael Göde v. The Czech Republic</i> , PCA Case No. 2014-01, Award, 2 May 2018	2 May 2018
<u>CL-035</u>	<i>Metalclad Corp v. United Mexican States</i> , ICSID Case No. ARB(AF)/97/1, Award, 30 August 2000	30 August 2000
<u>CL-036</u>	<i>Ioan Micula and others v. Romania I</i> , ICSID Case No. ARB/05/20, Award, 11 December 2013	11 December 2013
<u>CL-037</u>	<i>Glencore International A.G. and C.I. Prodeco S.A. v. Republic of Colombia</i> , ICSID Case No. ARB/16/6, Award, 27 August 2019	27 August 2019
<u>CL-038</u>	<i>Liman Caspian v Kazakhstan</i> , ICSID Case No. ARB/07/14, Excerpts of Award, 22 June 2010	22 June 2010
<u>CL-039</u>	<i>Loewen v. USA</i> , ICSID Case No. ARB(AF)/98/3, Final Award, 26 June 2003	26 June 2003
<u>CL-040</u>	<i>Lion Mexico Consolidated L.P. v. United Mexican States</i> , ICSID Case No. ARB(AF)/15/2, Award, 20 September 2021	20 September 2021
<u>CL-041</u>	<i>Parkerings-Compagniet AS v. Republic of Lithuania</i> , ICSID Case No. ARB/05/8, Award, 11 September 2007	11 September 2007

<u>CL-042</u>	<i>Champion Trading Company and Ameritrade International, Inc. v. Arab Republic of Egypt</i> , ICSID Case No. ARB/02/9, Award, 27 October 2006	27 October 2006
<u>CL-043</u>	<i>Ronald S. Lauder v. Czech Republic</i> , UNCITRAL, Award of 3 September 2001	3 September 2001
<u>CL-044</u>	<i>Pawlowski AG and Project Sever s.r.o. v. Czech Republic</i> , ICSID Case No. ARB/17/11, Award, 1 November 2021	1 November 2021
<u>CL-045</u>	<i>Limited Liability Company Amto v. Ukraine</i> , Arbitration No. 080/2005, Final Award, 26 March 2008	26 March 2008
<u>CL-046</u>	<i>Chevron Corporation (U.S.A.) and Texaco Petroleum Corporation (U.S.A.) v. Republic of Ecuador I</i> , PCA Case No. 2007-02/AA277, Partial Award on the Merits, 30 March 2010	30 March 2010
<u>CL-047</u>	<i>Middle East Cement Shipping and Handling Co. S.A. v. Arab Republic of Egypt</i> , ICSID Case No. ARB/99/6, Award, 12 April 2002	12 April 2002
<u>CL-048</u>	Award No. ITL 141-7-2 (29 June 1984)	29 June 1984
<u>CL-049</u>	<i>Compañía del Desarrollo de Santa Elena v Costa Rica</i> , ICSID Case No. ARB/96/1, Award, 17 February 2000	17 February 2000
<u>CL-050</u>	<i>Olympic Entertainment Group AS v. Republic of Ukraine</i> , PCA Case No. 2019-18, Award, 15 April 2021	15 April 2021
<u>CL-051</u>	<i>Burlington Resources Inc. v. Republic of Ecuador</i> , ICSID Case No. ARB/08/5, Decision on Liability 14 December 2012	14 December 2012
<u>CL-052</u>	R Dolzer and C Schreuer, <i>Principles of International Investment Law</i> (OUP, 2022)	6 January 2022
<u>CL-053</u>	<i>Case Concerning the Factory at Chorzów (Germany v. Poland)</i> , 1928 PCIJ, Series A, No.17 (Merits), Judgment No.13 of 13 September 1928	13 September 1928
<u>CL-054</u>	International Law Commission, “ <i>Draft Articles on Responsibility of States for Internationally Wrongful Acts, with commentaries</i> ”, in Yearbook of International Law Commission, 2001, Vol. II, Part Two	2001
<u>CL-055</u>	<i>Gold Reserve Inc. v. Bolivarian Republic of Venezuela</i> , ICSID Case No. ARB(AF)/09/1, Award of 22 September 2014	22 September 2014
<u>CL-056</u>	“ <i>Calculation of Compensation and Damages in International Investment Law</i> ”, Marboe, Second Edition (2017)	2017
<u>CL-057</u>	<i>Joseph Charles Lemire v. Ukraine</i> , ICSID Case No. ARB/06/18, Award of 28 March 2011	28 March 2011
<u>CL-058</u>	<i>Burlington Resources Inc. v. The Republic of Ecuador</i> , ICSID Case No. ARB/08/5, Decision on Reconsideration and Award of 7 February 2017	7 February 2017
<u>CL-059</u>	<i>Enron Corporation and Ponderosa Assets L.P v. Argentine Republic</i> , ICSID Case No. ARB/01/3, Award of 22 May 2007	22 May 2007
<u>CL-060</u>	<i>East Mediterranean Gas S.A.E. v. Egyptian General Petroleum Corporation, Egyptian Natural Gas Holding Company and Israel Electric Corporation Ltd</i> , ICC Case No. 18215/GZ/MHM, Award of 4 December 2015	4 December 2015

<u>CL-061</u>	<i>Tethyan Copper Company Pty Limited v. Islamic Republic of Pakistan</i> , ICSID Case No. ARB/12/1, Award of 12 July 2019	12 July 2019
<u>CL-062</u>	Philip Haberman and Liz Perks, “ <i>Overview of Methodologies for Assessing Fair Market Value</i> ” (2021), in <i>The Guide to Damages in International Arbitration</i> , Fourth edition Global Arbitration Review	2021