

**INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES**

**Silver Bull Resources, Inc.**

**v.**

**United Mexican States**

**(ICSID Case No. ARB/23/24)**

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**PROCEDURAL ORDER NO. 3**  
**On Requests for Document Production**

***Members of the Tribunal***

Mr. Ian Glick KC, President of the Tribunal

Mr. Stephen L. Drymer, Arbitrator

Prof. Philippe Sands KC, Arbitrator

***Secretary of the Tribunal***

Ms. C. E. Salinas Quero

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19 February 2025

## **I. BACKGROUND**

1. This Procedural Order deals with the Parties' Requests for Document Production (the "Requests for Documents"), simultaneously exchanged by the Parties on 13 January 2025, along with their respective Objections exchanged on 3 February 2025, and Responses to Objections to Documents Requests of 10 February 2025.

## **II. APPLICABLE STANDARD**

2. This arbitration is subject to (i) the NAFTA, (ii) the 2022 ICSID Arbitration Rules (the "Arbitration Rules"); and (iii) the procedural rules set out in Procedural Order No. 1 ("PO1").
3. Paragraph 15.1 of PO1 on Production of Documents, provides that "[t]he Tribunal shall be guided by Articles 3 and 9 of the 2020 IBA Rules on the Taking of Evidence in International Arbitration."
4. Furthermore, paragraph 15.6 of PO1 provides that "[...] the Arbitral Tribunal will, at its discretion, rule upon the production of the documents or categories of documents having regard to the legitimate interests of the parties and all the relevant circumstances, including applicable privileges and if appropriate the burden of proof."

## **III. ORDER**

5. Taking into consideration the indications contained in the preceding paragraphs, and the Parties' positions respectively contained in Annex A (Claimant's Redfern Schedule) and Annex B (Respondent's Redfern Schedule), the Tribunal decides on the Parties' Requests for Documents and Objections as set out in their respective Redfern Schedules. Annex A and Annex B form an integral part of this Order.
6. The documents shall be produced in accordance with paragraph 15.7 of PO1, that is, they "shall be communicated directly to the requesting party without copying the Arbitral Tribunal. Documents so communicated shall not be considered to be on record unless and

until a party subsequently files them as exhibits in accordance with Section 16 of Procedural Order No. 1.

7. On behalf of the Tribunal,

[Signature]

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Ian Glick KC  
President of the Tribunal  
Date: 19 February 2025