

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

STANDARD CHARTERED BANK (HONG KONG) LIMITED,
Claimant,
v.
TANZANIA ELECTRIC SUPPLY COMPANY LIMITED,
Respondent.

ICSID Case No.: ARB/10/20

Procedural Order No. 13

Following the Hearing Organizational meeting that took place by telephone on July 2, 2015, between the Parties and the President, the Tribunal, having deliberated, now orders as follows:

1. Respondent’s request that the Tribunal make a preliminary ruling on the **issue of reconsideration** is rejected. The issue of reconsideration will be dealt at the Hearing scheduled from August 19 to 21, 2015 (“the Hearing”).

2. **Organization of the Hearing**

2.1 *Allocation of Time between the Parties*

The Parties have agreed that the first day of the Hearing will be reserved for facts and legal arguments as opening submissions (about half a day for each Party) and that they will each have half a day for the cross-examination on the second day, those being only estimates. The Parties reserve the right to use the third day of the Hearing if necessary.

The Parties have agreed that there will be no closing submissions, these being replaced by post-hearing briefs.

2.2 *Expert Examination*

The Claimant wishes to cross-examine Mr. Nicholson.

The Respondent wishes to cross-examine Mr. Johnson, and will indicate whether it wishes to cross-examine Lord Hoffman shortly.

The Parties have agreed that the cross-examination of Mr. Johnson would be first, followed by the cross-examination of Mr. Nicholson.

The Parties have also agreed that in lieu of direct examination, each expert will have 20-30 minutes to introduce his report including with power point. The Parties will agree on a date for the expert's power point to be transmitted to the other party.

The Parties have also agreed that there will be no sequestration of experts, but that there will be no contact with experts in the course of their examination.

2.2 *Bundle*

The Parties are invited to prepare a Core Bundle containing the most important exhibits for this stage of the case and the exhibits on which they intend to rely during the Hearing. (The Tribunal does not need to receive hard copies of the Parties' written submissions.) Hard copies of the Core Bundle will be handed out at the outset of the Hearing to the Members of the Tribunal and the Secretary of the Tribunal.

An electronic copy of all factual and legal exhibits, written submissions, witness statements and experts reports, and the transcripts of previous hearings will be provided on a USB stick to the Members of the Tribunal and to ICSID by August 10, 2015.

Binders will be handed out before the cross-examination of Messrs. Nicholson and Johnson containing the exhibits on which the party doing the cross-examination will rely.

2.3 *Distribution of Visual Aids*

The Parties will agree on a date for the distribution of any visual aid they might use during the Hearing.

2.4 *Post Hearing Briefs*

The Parties have agreed that there will be post-hearing briefs.

3. Regarding **Claimant's Motion to Compel Documents** filed on June 29, 2015, the schedule as agreed by the Parties is as follows:

| | |
|---------------------------------------|----------------|
| Respondent's reply to Motion | 13 July 2015 |
| Tribunal's decision | 24 July 2015 |
| Documents to be produced | 3 August 2015 |
| Documents to be delivered to Tribunal | 10 August 2015 |

For the Tribunal:

[Signed]

Professor Donald McRae

3 July 2015